

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1634 of 2019

In
Civil Writ Jurisdiction Case No.9281 of 2018

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1. Dr. Jayant Kumar Son of Late Basudeo Mishra Resident of Mohalla Gandhi Ashram, Police Station Hajipur Town, District Vaishali.
 2. Dr. Ram Bachan Rai Son of Late Sheo Pujan Rai Resident of Mohalla Bahadurpur Housing Colony, Bhoothnath Road, Kankerbagh Police Station Agamkuan, District Patna.
 3. Dr. Abhay Kumar Son of Late Narendra Prasad Singh Resident of Village Sachai, Police Station Kurtha, District Arwal.
 4. Dr. Dadan Upadhyay Son of Sri Bishram Upadhyay Resident of Village and Post Baisadih via Piro, Police Station Piro, District Bhojpur.
 5. Santosh Kumar Son of Late Mahendra Roy Resident of Village and Post Rani, Via Bachwara, District Begusarai.
 6. Dr. Vidya Shankar Singh Son of Late Subedar Singh Resident of R.N. College Road, Shahi Colony, Police Station Hajipur, District- Vaishali.
 7. Dr. Shashi Shekhar Son of Late Hardwar Singh Resident of Mohalla Pandriwa, Masjid Chowk, P.S. Hajipur Town, District Vaishali.
 8. Dr. Prithvi Raj Singh Chauhan Son of Sri Shivaji Singh Resident of Village and Post Balwa Kuari, Police Station Hajipur Sadar, District Vaishali.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Patna.
4. Magadh University through its Registrar, Bodh Gaya.
5. The Vice Chancellor, Magadh University, Bodh Gaya, Bihar.
6. The Registrar, Magadh University, Bodh Gaya, Bihar.
7. Babasaheb Bhim Rao Ambedkar Bihar University through its Registrar, Muzaffarpur.
8. The Vice Chancellor, Babasaheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
9. The Registrar, Babasaheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
10. The Governing Body through its Secretary, Laliteshwar Prasad Shahi College, Patna.
11. The Governing Body through its Secretary, Satyendra Narain Singh College, Hajipur, Vaishali.
12. The Governing Body through its Secretary, Awadh Bihari Singh College,



Lalganj, Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Shashi Shekhar Tiwary, AC to AAG 15
For Res. No. 10 : Ms. Vagisha Pragya Vacaknavi, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

9 13-11-2024 Learned counsel for the respondents filed second supplementary counter affidavit along with Annexure A – copy of the chart. From this affidavit and chart it is evident that time to time State respondents have disbursed amount to the respective institutions.

2. Learned counsel for the State, on instruction, submitted that identical matter was subject matter of litigation before the Co-ordinate Bench in LPA No. 1547 of 2018 arising out of CWJC No. 4044 of 2010 and it was decided against *Dr. Shailesh Kumar Sinha* on 23.01.2024. The present appellants are similarly situated officials and it is not disputed by learned counsel for the appellants.

3. Learned counsel for the appellants submitted that *Dr. Shailesh Kumar Sinha* has assailed the Co-ordinate Bench decision dated 23.01.2024 passed in LPA No. 1547 of 2018 arising out of CWJC No. 4044 of 2010 in SLP (Civil) Diary No.



19183 of 2024 in which notice has been ordered. In the light of these facts and circumstances, the present LPA No. 1634 of 2019 stands disposed of in terms of the order passed in *Dr. Shailesh Kumar Sinha's* case. In the event of *Dr. Shailesh Kumar Sinha's* case which is pending consideration SLP (Civil) Diary No. 19183 of 2024 is allowed in his favour, appellants are permitted to file interlocutory application for revival of the present order.

4. With the above observation, the present LPA stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

GAURAV S./-

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