

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11480 of 2024

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Deepak Kumar @ Dipak Kumar S/o-Late Kapil Deo Ram Resident of -
Bangal Asthan Pahsi Gaya, P.S.-Kotwali, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, New Secretariat, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Director, Higher Education, Department of Education, Government of Bihar, New Secretariat, Patna.
4. The Authorised Officer, Pay Verification Cell, Department of Education, Government of Bihar, Patna having its Office at B.S.T.B.P. Corporation, Buddha Marg, Patna.
5. The Magadh University, Bodh Gaya through its Registrar.
6. The Vice Chancellor, Magadh University, Bodh Gaya.
7. The Registrar, Magadh University, Bodh Gaya.
8. The Finance Officer, Magadh University, Bodh Gaya.
9. The Nodal Officer/Admin, Pay Verification, Magadh University, Bodh Gaya.
10. The In-Charge, Pay Verification, Magadh University, Bodh Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar
For the Respondent/s : Mr. Advocate General

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-04-2025

Re: I.A. No.01 of 2025

The present Interlocutory Application is being filed on behalf of petitioner for Modification/Recall of order dated 07.01.2025 passed in the present case whereby this Court while hearing the writ petition was pleased to direct the learned counsel for the petitioner to file a Substitution Petition, since it was submitted by the learned counsel for the petitioner that



during pendency of the present writ petition, the petitioner has died.

2. Learned counsel for the petitioner submits that 2 writ petitions bearing CWJC No.11480 of 2024 (Deepak Kumar @ Dipak Kumar VS The State of Bihar & Ors) and CWJC No.13992 of 2024 (Deepak Kumar Vs The State of Bihar & Ors) were listed in a batch of writ petitions, praying for similar relief on 07.01.2025. In both the writ petition same learned counsel was appearing on behalf of the writ petitioners. The writ petitioner of CWJC No.13992 of 2024 has died during pendency of the writ petition, but due to inadvertence, the learned counsel for the petitioner informed this Court that the petitioner of the present writ petition has died during pendency of the present writ petition.

3. Having heard learned counsel for the parties and for the reasons stated in the interlocutory application, I.A. No. 01 of 2025 is allowed and the order dated 07.01.2025 passed in this case is hereby recalled.

C.W.J.C. No. 11480 of 2024

4. Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the University.

5. At the very outset, learned counsel for the petitioner



submits that the petitioner's case is squarely covered by judgment dated 13.11.2024 passed in C.W.J.C. No. 16104 of 2024.

6. In view of the aforesaid, the impugned pay verification certificate issued vide Receipt No.0308220100142, under the signature of the authorized officer, Pay Verification Cell, Department of Education, Government of Bihar, Patna (Annexure-P/16) is hereby quashed and the matter is remanded back to the State authorities for proceeding afresh in accordance with law.

7. It goes without saying that the petitioner is entitled to receive pay as earlier.

8. Accordingly, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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