

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20749 of 2021

1. Madhu Bala Wife of Sushil Kumar, resident of Nil Kothi, Ram Raj Garha, P.O. - Dehri, P.S. and District - Rohtas, Pin Code - 821307.
2. Mohd Faizan, Son of Sarfraz Ahmad, resident of 341, Safarwal, P.O. - Ambedkar Nagar, P.S. Tanda, State - Uttar Pradesh, Pin Code - 224190.
3. Md. Minhaj Alam, Son of Md Israil, resident of Road No. 8, Saddam Chowk, P.O. New Karimganj, P.S. and District - Gaya, Pin Code - 823001.
4. Sumayya Sheikh, daughter of Mohammad Shahid Ibrar, resident of House No. 9, Ward No. 7, P.O.- Panchaitia Akhara, River Side Road, P.S. and District - Gaya, Pin Code - 823001.
5. Akram Waris, Son of Firoz Alam, resident of Holding No. 72, Mohalla - Mewati Tola, P.O. and P.S. - Sasaram, District - Rohtas, Pin Code - 82115.
6. Abu Huzaifa, Son of Tarique Ahsan Falahi, resident of Cherki Loha Pul, P.O. - Cherki, P.S.- Gurua, District - Gaya, Pin Code - 824237.
7. Ehsanullah Dansih, Son of Abdul Hafeez, resident of Road No.2, Gali No. 06, Old Karimganj, P.S. and District - Gaya, Pin Code - 823001.
8. Khurshid Jahan Wife of Imtiyaz Ahmad, resident of H.No. - 540/2, Ahmad Villa, New Azimabad Colony, P.O., P.S. and District - Mahendru, Pin Code - 800006.
9. Shuchi Sinha Wife of Krityanad Ranjan, resident of Village and P.O. - Andharbari, District - Nawada, Pin Code - 801525.
10. Shahana Hasnain Wife of Fazlur Rahman Khan, resident of White House Compound, P.O., P.S. and District - Gaya, Pin Code - 823001.
11. Salma Zafar, Daughter of Zafar Islam, resident of Md. Shabbir, White House Compound, P.O., P.S. and District - Gaya, Pin Code -823001.
12. Mohammad Shabir Alam Son of Mohammad Zahir Uddin, resident of Village - Khandail, P.O. - Bishunpura, P.S.- Sherghati, District - Gaya, Pin Code - 824237.
13. Ladlay Khan Son of Wali Ahmad Khan, resident of FB- 5, Flat No.- 201, Galaxy Apartment Shaheen Bagh, Abul Fazal Enclave Part- 2 Jamia Nagar, New Friend Colony, Defence Colony, Sought Delhi P.O.- Okhla, State - New Delhi, Pin Code - 110025.
14. Abdul Azim Akhtar Son of Md. Yunus Jamai, resident of 62, 1st Floor, Hauz Rani, Malviya Nagar, South Delhi, State - New Delhi, Pin Code - 110017.
15. Ibrar Khan, Son of Alamas Husen, resident of Mohiuddinpur (Aalanagry), P.O. - Sarai Mamarej, District - Allahabad (U.P.), Pin Code - 221503.
16. Zeaur Rahman Jafri, son of Fazlur Rahman Hashmi, resident of P.O. and P.S.- Bhawanandpur, District- Begusarai, Pin Code - 851127.
17. Nusrat Jabeen Siddiquee, care of Sarfaraz Ahmad, resident of House No. E-211, Rail Vihar Sector - 3, P.O. - Vasundhra, P.S. and District - Ghaziabad, (U.P.) Pin Code - 201012.
18. Akeel Ahmad, care of Abushama, resident of 49, Birdpur No. 13, Tola Gaya urf Sakrideed, P.O. - Naugarh, P.S. and District - Sidharthnagar (U.P.), Pin



Code - 272203.

19. Kashif Mansoor, Son of Mansoor Alam, resident of Main Road, Panchu Opposite P.O - Hisua, P.S.- Hisua, District - Nawada, Pin Code - 805103.
20. Sarim Abbas, Son of Fazal Abbas, resident of 81/2 Sibtan Road, P.O., P.S. and District - Pratapgarh (U.P.) Pin Code - 230001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. Director Higher Education, Bihar, Patna.
3. Magadh University, Bodh Gaya through its Registrar.
4. Vice Chancellor, Magadh University, Bodh Gaya.
5. Registrar, Magadh University, Bodh Gaya.
6. Mirza Ghalib College, Gaya through its Principal.
7. Governing Body, Mirza Ghalib College, Gaya through its Secretary.
8. Secretary, Governing Body, Mirza Ghalib College, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Senior Advocate
For the Respondent/s : Smt. Binita Singh, S.C.-28

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 30-03-2026 Heard the learned counsel for the parties.

2. The present matter is being taken up under the heading 'For Orders (On Office Notes) and on the joint prayer of the parties, the same is being heard.

3. The present writ petition has been filed for the following reliefs:

“(i) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities



under the Magadh University, Bodh Gaya (hereinafter referred to as “the University”) to take steps towards granting approval to the appointments of the present petitioners against the posts of Assistant Professors in different subjects at Mirza Ghalib College, Gaya (hereinafter referred to as “the College”) in terms of the provisions contained under section 57A(v) of the Bihar State Universities Act, 1976;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Education Department of the State Government to take steps towards allocating necessary funds in favour of the College for ensuring payment of salary in favour of the present petitioners as per their entitlement pursuant to their appointments against sanctioned posts of Assistant Professors in different subjects at the College strictly in accordance with law;

(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the University as well as the Education Department of the State Government to take necessary steps towards ensuring payment of all the legal entitlements in favour of the petitioners and consequential benefits that the petitioners are entitled to upon their appointments against sanctioned posts of Assistant Professors in different subjects at the College in accordance with law;

(iv) Issuance of a declaration holding that the petitioners are entitled for being made payment of their salaries in the prescribed scale of pay and other consequential benefits subsequent



upon their appointments against the posts of Assistant Professors in different subjects at the College;”

4. The learned counsel for the parties submit that the issue involved in the present writ petition is no more *res integra* in view of the judgment dated 16.02.2026, passed in L.P.A. No.86 of 2025 by the Hon’ble Division Bench of this Court, wherein in paragraphs no.24 and 25, the Hon’ble Division Bench has been pleased to hold as follows:

“24. After going through the analysis made by the learned Single Judge, we do not find that the reasoning, which has been assigned by the learned Single Judge is any way perverse or palpably unreasonable or inconsistent with any particular provision of law.

25. A Letters Patent Appeal, is an intra-court appeal, whereunder a Letters Patent Bench sitting as a Court of Correction, corrects its own orders in exercise of the same jurisdiction, as was vested in the Single Judge. In such appellate jurisdiction, the High Court exercises the powers of a Court of Error and this appellate jurisdiction is really a corrective jurisdiction and it is used rarely only to correct errors, if any made.”

5. The Hon’ble Division after going through the impugned judgment dismissed the L.P.A. without interfering with the orders passed by the learned Coordinate Bench of this Court in C.W.J.C. No.10935 of 2021.

6. Accordingly, the present writ petition is dismissed



in terms of the judgment dated 16.02.2026, passed in L.P.A.
No.86 of 2025.

(Ritesh Kumar, J.)

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