

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P. (S) No. 1066 of 2021**

(Kamal Kishor Prasad Vs. Vinoba Bhave University & Ors.)

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**CORAM: THE HON'BLE MR. JUSTICE DR. S.N.PATHAK**  
**(Through: Video Conferencing)**

For the Petitioner : Mr. Afaq Ahmed, Advocate  
For the University : Mr. Amresh Kumar, Advocate  
For the Respondent-State : AC to GP-IV

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**I.A. No.2579 of 2021**

**04/ 28.06.2021** This interlocutory application has been preferred for staying the operation and implementation of letter dated 30.01.2021.

Learned counsel for the petitioner assails the impugned order of recovery dated 30.01.2021 on the ground that same has been passed after superannuation of the petitioner. He further submits that the case is squarely covered by the order passed by the Hon'ble Apex Court in case of **State of Punjab & Ors. Vs. Rafiq Masih & Ors.**, reported in **(2015) 4 SCC 334**.

Learned counsel for the respondents seek sometime to file counter-affidavit.

Prayer is allowed.

The operation, implementation and execution of the impugned order dated 30.01.2021 is hereby stayed.

Accordingly, I.A No. 2579 of 2021 stands allowed.

**W.P. (S) No. 1066 of 2021**

Put up this case after four weeks.

In the meantime, respondents are directed to file counter-affidavit.

**(Dr. S.N. Pathak, J.)**

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