

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6565 of 2015

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1. Ashok Raut, Son of H.P. Raut, At P.O. - Uttar Mechagram, P.S. - Panskura, District - East Midnapur (W.B.), presently residing at Quarter No. 63. Near Poultry Farm, R.A.U., PUSA, Samastipur.
 2. Jagat Narayan Singh, Son of Late Kamaldeo Narain Singh, At Mahadali Chalk, P.O. - Gopalpur, District - Chhapra (Saran).
 3. Shiv Kumar Singh, Son of Shiv Mangal Singh, At P.O. - Dumri Bujurg, District - Chhapra, Saran.
 4. Dharamshila Jha, Wife of Late Shiv Bilash Thakur, At P.O. Patsara, P.S. - Pier, District - Darbhanga.
 5. Sunil Kumar Lal das, Son of Late Y.L. Das, At P.O. PUSA Farm, RAU Campus, Near Poultry Farm, Quarter No. N.D./77, District - Samastipur.
 6. Awadesh Kumar, Son of Late Kisan Dev Rai, At Harpur PUSA, P.O. - PUSA, District - Samastipur.
 7. Ashok Kumar Das, Son of Late R.N. Das, At Olipur, P.O. - Imadpatty, District - Madhubani.
 8. Rajesh Kumar, Son of Late Ram Chandra Rai, AT + P.O. - Pusa Farm, RAU Campus, Quarter No. ND/69, District - Samastipur.
 9. Rakesh Kumar Rai, Son of Late Ram Ashis Rai, Resident of Village - Harpur PUSA, P.O. + P.S. - PUSA, District - Samastipur.
 10. Rajeshwar Sharma, Son of Late Bhola Sharma, Resident of Village + P.O. - Prahaladpur, P.S. - Musari, District - Muzaffarpur.
 11. Shashi Kant Pandey, Son of Late Hari Milan Pandey, Resident of Village P.O. - Baliwan sagar, P.S. - Kuchikot, District - Gopalganj.
 12. Sunita Kumari, Wife of Late Ram Kamat, At + P.O. - Khrhar, District - Madhubani.
 13. Nadeem Ahmad Khan, Son of Late A.B. Khan, At Jaley Khan MOhalla, P.O. - Jaley, District - Darhanga, at present - D. Type, Quarter No. 14, Near Post Office, RAU Campus, PUSA, Samastipur.
 14. Devesh Prasad, Son of Late Sheo Dutta Prasad, At P.O. Kalyanpur, District - Gopalganj.
 15. Vijayeta Priyadarshi Wife of Sri Kripa Shanker Bharti, At Kanahiya Nagar, Near Kanahiya High School, Mirjapur, Post - Nawada, District - Nawada.
 16. Rashmi, Wife of Sri Subodh Kumar Srivastava, Resident of Mohalla - Gannippur Mishra Tola, Kalambagh Chowk, District - Muzaffarpur.
 17. Tulsi Mahto, Son of Late Brij Bihari Mahto, At + P.O. - Hilalpur, District - Vaishali (Hajipur).
 18. Mala Sinha, Wife fo Late Snil Kumar, At + P.O. - Malikaur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Agriculture Production Commissioner, Bihar, Patna.
2. The Agriculture Production Commissioner, Bihar, Patna.
3. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna.
4. The Rajendra Agriculture University, PUSA through its Vice - Chancellor, PUSA, Samastipur.
5. The Vince- Chancellor, Rajendra Agriculture University, PUSA Samastipur.

6. The Registrar, Rajendra Agriculture University, PUSA, Samastipur.
7. The Director (Administration), Rajendra Agriculture University PUSA, Samastipur.
8. The Comptroller, Rajendra Agriculture University, PUSA, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Giri

For the Respondent/s : Mr. SC25- A. UJJWAL

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 17-08-2015

Writ application of the petitioners is disposed of with a direction that the rationale and reasoning given by this Court in **CWJC No.15661 of 2014**, which was the case of **Md. Najmuddin and others Vs. State of Bihar and others** and other analogous cases, shall also govern the case of these petitioners.

Respondent University authorities are directed to extend similar benefits to these petitioners if they fall in the same class of employees, in whose favour the order for grant of benefit has been passed.

In fact, the Court expresses displeasure against the University concerned because in the judgment dated 7.4.2015 passed in Md. Najmuddin's case the Court had given a clear direction that even all such employees who have not approached this Court for similar relief will be extended the benefit. The Court fails to understand as to why every employee will be compelled to come to the Court to beget similar kind of observation before the benefit could

be extended. This is unacceptable position. The order must be brought to the knowledge of the Vice-Chancellor. If such challenges are thrown before this Court, the Court will contemplate taking appropriate action against the Vice-Chancellor because he has no business to burden the system by frivolous litigation where no adjudication as such is required.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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