

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.812 of 2015

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1. Dr. Rita Kumari wife of Dr. Mahesh Prasad Singh, House No. 262, Nehru Nagar, Patna, District- Patna.
 2. Dr. Anil Kumar, son of Sri Bangali Singh, B-403, Nutan Tower, Main Road, Kankarbagh, Patna, District- Patna.
 3. Dr. Ashok Kumar, son of Late Ram Harsh Das, 17, Harsalay Montessori Lane, Gandhi Nagar, Boring Road, Patna, District- Patna.
 4. Dr. Khursheed Alam, son of Noor Mohammed Ansari, Flat No. 506, Abu Fakhruddin Plaza, Langartoli Chowk, Patna, District Patna.
 5. Dr. Richa Sinha, daughter of Prof. H.B.P.Sinha, Road No. 14, Sahdev Path, Patel Nagar, P.O. AND P.S Shashtrinagar, Patna, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department (Higher Education), Government of Bihar, Patna.
2. Principal Secretary, Education Department (Higher Education), Government of Bihar, Patna.
3. Director, Higher Education, Education Department, Government of Bihar, Patna.
4. Patna University through the Vice Chancellor.
5. Vice Chancellor, Patna University.
6. Registrar, Patna University.
7. Finance Controller, Patna University.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siddhartha Prasad

For the Respondent/s : Mr. Rajesh Singh, GP 16

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 07-10-2015

Heard counsel for the petitioners, counsel for the University as well as the State Government.

Petitioners are doctors, who are working under Patna University. They are employees of the University. However, they are seeking relief at par with members of the Bihar Health Service in matter of grant of Dynamic ACP. The crux of the argument of

learned counsel for the petitioners is that in terms of Annexure- 15, dated 25.2.1987, there was some kind of agreement worked out between the striking employees of the University and the State and the State Government has issued this notification. This notification has been held to be binding between the employees and the State as per a decision by the Hon'ble Supreme Court rendered in the case of ***State of Bihar v. Sunny Prakash, reported in (2013) 3 SCC 559.***

Keeping the above proposition in mind, writ is disposed of with a direction upon the Principal Secretary, Education Department, Government of Bihar as well as the Principal Secretary, Department of Finance to consider and take a decision preferably within a period of four months from the date of production of a copy of this order.

(Ajay Kumar Tripathi, J)

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