

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1462 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 4611 of 2014**

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Ashok Kumar Jha, Son of Upendra Nath Jha, Resident of Vill & P.O.- Alakh Dutta Maheshpur, P.S.- Pathargama, Dist.- Godda, State- Jharkhand

.... Appellant/s

Versus

1. The Vice Chancellor, Rajendra Agriculture University, Bihar, P.O.- Pusa, District- Samastipur
2. The Registrar, Rajendra Agriculture University, Bihar, P.O.- Pusa, District- Samastipur
3. The Director of Administration, Rajendra Agriculture University, Bihar, P.O.- Pusa, District- Samastipur
4. The Officer-in-charge (Recruitment), Rajendra Agriculture University, P.O.- Pusa, District- Samastipur
5. The Regional Director, Agriculture Research Institute, Mithapur, Patna, P.O.- Lohiya Nagar, District- Patna
6. The Vice Chancellor, Bihar Agricultural University, Sabour, Bhagalpur, P.O.- Sabour, District- Bhagalpur
7. The Registrar, Bihar Agricultural University, Sabour, Bhagalpur, P.O.- Sabour, District- Bhagalpur
8. The State of Bihar through Principal Secretary, H.R.D. Department, Bihar, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kishore Thakur, Advocate
For the Respondent/s : Mr. Ram Shankar Prasad, G.P. 14
Mr. S.N. Pathak, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 24-03-2017

Delay in filing of the appeal is condoned.

In the matter of granting regularization to the appellant
now in view of the law laid down by a Constitution Bench of the
Supreme Court in the case of **Secretary, State of Karnataka Vs.**



Umadevi (3)- (2006) 4 SCC 1 and the fact that appellant did not apply for appointment in question to an advertisement issued by the Bihar Agricultural University, no indulgence can be made into the matter as the appellant has not demonstrated before this Court that the appellant is entitled to regularization in accordance to the law laid down by the Supreme Court in the case of **Umadevi** (supra). That being so, we see no reason to make any indulgence into the matter.

The Letters Patent Appeal is, accordingly, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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