

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.763 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 5871 of 2008**

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Anil Kumar Son of late Sachindranath Srivastava Resident of Gangauli Compound,
Near Labour Office, P.S. Belbanwa, District- Motihari, East Champaran

.... Appellant/s

Versus

1. The State of Bihar through Commissioner cum Secretary, Department of Human Resource Development Deptt, Govt. of Bihar, Old Secretariat, Patna.
2. The Chancellor, Universities of Bihar, Raj Bhawan, Patna.
3. The Additional Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
4. The B.R. Ambedkar Bihar University, Muzaffarpur through its Registrar.
5. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
6. The Registrar, B.R. Ambedkar, Bihar University, Muzaffarpur.
7. T.P. Verma College, Narkatiaganj, West Champaran through its Principal
8. The Principal, T.P. Verma College, Narkatiaganj, West Champaran.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Chandra Verma

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 06-04-2017

In the matter of regularization of the services of the appellant in the institute in question which was taken over and the action taken prior to 12.07.1980, the cut off date, the learned writ court has gone into various aspects of the matter and has found that the petitioner is not entitled for regularization of services but also his initial induction in the department by the governing body or the managing committee is illegal.



Once the institute was directed to be taken over on 12.07.1980, the services of the petitioner cannot be absorbed.

The learned writ court after going into the various aspect of the matter found that the appointment of the petitioner made on 16.07.1980 after the cut-off date 12.07.1980 seems to be doubtful and illegal.

Considering the above facts and materials on record, I cannot take a different view and, accordingly, the present Letters Patent Appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Mishra/-

AFR/NAFR	N.A.F.R.
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