

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1236 of 2013
Arising out of
Civil Writ Jurisdiction Case No. 5616 of 2010**

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1. Miss Sandhya Mandal D/O Late Abhay Charan Mandal Resident of Mohalla-
Keshopur, P.S- Jamalpur, District- Munger.

... .. Petitioner Appellant

Versus

1. The State Of Bihar through The Chief Secretary Govt. of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna Secretariat, Patna.
3. The Commissioner- Cum- Secretary, Higher Education Department of Human
Resources Development Deptt., Govt. of Bihar Secretariat, Patna.
4. Tilka Manjhi Bhagalpur University through Its Vice- Chancellor, Bhagalpur,
District- Bhagalpur.
5. The Vice- Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
7. The Principal, Balmiki Rajniti Mahila Mahavidyalaya, Munger.

... .. Respondents Respondents

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Appearance :

For the Appellant/s	:	Mr. V. Narayan, Sr. Adv. Mr. Manoj Kumar Manoj, Adv.
For the State	:	Mr. Kinkar Kumar, S.C.-9 Mr. Rakesh Kumar Sharma, A.C. to SC-9.

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 13-01-2017

The challenge in the present Letters Patent Appeal is to
an order passed by learned Single Bench on 26th of April, 2013
whereby the claim of the appellant for salary from 01.09.1999 till 4th
of June, 2003 remained unsuccessful.

The appellant was working on daily wages in the



respondent no.7 - college with effect from 01.03.1981. The appellant invoked the writ jurisdiction of this Court when she filed C.W.J.C. No. 1343 of 2001 which was disposed of on 18th of April, 2006 on the basis of statement of the learned counsel for the University that the appellant would be considered for regularization of her services and that the approval for regularization of services is pending before the State Government. It is thereafter, the services of the appellant were regularized vide order dated 27th of May, 2006 Annexure-10 with effect from 5th of June, 2003. The appellant has claimed wages from 01.09.1999 till 04.06.2003 in the writ application which was disposed of with liberty to the appellant to raise the claim for salary with the college.

We do not find any merit in the arguments raised by the appellant. In the present appeal before this Court there is no challenge to the regularization of services of the appellant with effect from 1st of June, 2003. The appellant claims that she is entitled to regular pay scale prior thereto. Once the services have been regularized with effect from a particular date, the appellant cannot claim regular pay scale prior to the date of regularization given by the State Government. Still further, the claim for regular pay scale would be stale being raised in the year 2010 in respect of period more than 7



years old.

In view thereof, we do not find that any further direction is called for in the present Letters Patent Appeal.

Accordingly, the Present Letters Appeal is dismissed.

(Hemant Gupta, ACJ)

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	NAFR
CAV DATE	N/A
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