

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2195 of 2016

In
Civil Writ Jurisdiction Case No.899 of 2015

-
1. The State Of Bihar through the Agriculture Production Commissioner, Government of Bihar, Patna.
 2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
 3. The Secretary, Agriculture Department, Government of Bihar.

... .. Appellant/s

Versus

1. Vedanand Ram Son of Sohan Ram Resident of Village & P.O. Sarauni, P.S.- Mahishi, District- Saharsa , Presently at Regional Research Sub-Station, Jalalgarh (Purnea) and deputed at regional Research Station, Agwanpur(Saharsa).
2. Krishna Kant Choudhary Son of Sri Kant Choudhary Resident of Village & P.O.- Parsarm, P.S.- Supaul, Presently as Clerk at Madan Bharti Agriculture College, Agwanpur, Saharsa on the vacant Post of Accountant.
3. Ranjay Kumar Singh Son of Nand Kishore Singh Resident of Village & P.O. Ram Nagar, District- Saharsa, Presently Posted at Jute Research Station- Katihar.
4. Basant lal Roy Son of late Faudar Roy Resident of Village & P.O.- Panchagachia, Tola- Durgapur, District- Saharsa, Presently Posted at Regional Research Sub- Station Jalalgarh (Purnea) and deputed at Regional Research Station, Agwanpur(Saharsa).
5. Narayan Prasad Yadav Son of late Lakshmi Mandal Resident of Village +P.O. Narayanpur, P.S.- Nawhatta, District- Saharsa, Presently Posted at regional Research Station- Agwanpur, Saharsa.
6. Smt. Reeta Jaiswal Wife of late Ram Bhushan Jaiswal Resident of Village +P.O.- Daularpur, P.S. Raghapur, District- Supaul, Presently Posted at regional Research station, Agwanpur, Saharsa.
7. Ajit Kumar Sinha Son of late Gauri Shankar Sinha Mohalla- Vidyapuri, S.B.I. , Road, Madhepura, Presently Posted at Irrigation Research Station, Madhepura
8. The Bihar Agricultural University, through its Registrar, Sabour, Bhagalpur.
9. The Vice Chancellor, the Bihar Agricultural University, Sabour (Bhagalpur).



10. The Registrar, the Bihar Agricultural University, Sabour Bhagalpur.
11. The Director Administration, Bihar Agricultural University, Sabour Bhagalpur
12. The Comptroller, Bihar Agricultural University, Sabour Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sunil Kumar Mandal, Advocate Mrs. Neelam Kumari, Adv Mr. Bipin Kumar, AC to SC 3
For the Private Respondent/s:		Mr. Mrityunjay Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-03-2018

Apart from the fact that there is a delay of more than 332 days in filing of the appeal by the State Government, the order passed by the learned Single Judge is to the University to take a decision comparing the case of the petitioner with similarly situated persons and communicate the decision.

That being so, the University can examine the matter and, for reasons to be indicated in writing, can or cannot extend the benefit to the petitioner. In case the University holds that the petitioner is not entitled for the relief, it will have to pass a reasoned and speaking order.

At this stage, when the University can always take a decision in accordance with law, we are not inclined to interfere



into the matter. Granting time to the University and the State Government to take a decision in accordance with law and the directions issued by the learned Writ Court, we dispose of the matter.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	05.04.2018
Transmission Date	

