

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.215 of 2017

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Sita Ram Yadav S/o Late Musho Yadav resident of Village : Sahjana, P.O. &
P.S. : Jhajha, District : Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Secretary, Higher Education Department Govt. of Bihar, New Secretariat, Patna.
2. The Director, Higher Education Department, Govt. of Bihar, New Secretariat, Patna.
3. Tilka Manjhi Bhagalpur University, Bhagalpur through it's Vice-Chancellor.
4. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. The Principal, D.S.M. College, Jhajha, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar
For the Respondent/s : Mr. PRABHAKAR JHA- GP27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and the counsel
appearing on behalf of the State and Respondents.

Learned counsel for the petitioner has now confined his
prayer to count the past service for the purpose of pensionary
benefits. He refers statutory provisions which entitles the
petitioner for counting past service.

Since the order of absorption of the petitioner is very
specific and the same was passed pursuant to the order of the
writ court, the court is not in a position to pass any positive
order for direction to the respondent to count past service for the
purpose of pensionary benefit, however, liberty shall be



available to the petitioner to approach the competent authority and claim benefit of counting past service referring to the statutory provisions under the University Act.

If such petition is filed by the petitioner, the concerned authority will examine the case and pass appropriate order in accordance with law.

It is made clear that this court has not expressed any opinion on the claim of the petitioner for counting past service.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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