

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6544 of 2016

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1. Mogal Sah, son of Sri Mahendra Sah, resident of Village- Dhepura, P.S.- Dalsingsarai, Dist- Samastipur.
 2. Ramashray Choudhary Son of Late Sitaram Choudhary Resident of Village- Mahmadpur Sakara, Police Station- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
 3. The Deputy Secretary of Government, Higher Education Department, Government of Bihar, Patna.
 4. The Vice-Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
 5. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
 6. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
 7. The Principal, R.B. College Dalsingsarai, Samastipur. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate
For the Respondent/s : Mr. Santosh Kr. Jha, GP-3
For L.N.M.U. : Mr. Chandra Mohan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 04-04-2018

Heard learned counsel for the petitioners and respondents.

Learned counsel for the petitioners submits that similarly circumstanced others were regularized, whereas the petitioners were discriminated.

Learned counsel for the University submits that the petitioners were disengaged way back in the year 2007 and after nine long years the petitioners have approached this Court, so the present writ application is barred by delay and laches.



Referring to annexures- 8 and 9, learned counsel for the petitioners submits that in those cases this Court as well as Apex Court has issued direction to consider the case. He submits that the petitioners may also be granted liberty to approach the respondent authorities for redressal of their grievance referring to the instance of similarly circumstanced others including Amar Kant Rai and Indu Kumari in whose cases the Apex Court as well as a Co-ordinate Bench of this Court has passed order.

In view of the above, the writ application is disposed of with liberty to the petitioners to approach the Vice-Chancellor of the University for consideration of their case in the light of the judgment of the Apex Court in the case of Amar Kant Rai (Civil Appeal No. 2835 of 2015) and the decision of a Co-ordinate Bench of this Court in the case of Indu Kumari (C.W.J.C. No.1489 of 2013). In case, such representation is filed by the petitioners, the respondent Vice-Chancellor is required to decide the representation by a reasoned and speaking order within a period of three months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.04.2018
Transmission Date	

