

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 18001 of 2016

=====

Uma Kant Rai Son of Late Nandipat Rai, Resident of Village- Rajapatti, Police Station - Sitamarhi, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education Department of Human Resources Development Department, Government of Bihar, Patna.
2. The Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur.
3. The Registrar, the Bhim Rao Ambedkar Bihar University, Muzaffarpur.
4. The Controller/Finance Officer, the B.R.A. Bihar University, Muzaffarpur.
5. The Principal, Ram Sewak Singh Mahila College, Dumra, Sitamarhi.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jiwan Prakash Sinha, Advocate
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-02-2018

Heard learned counsel for the petitioner and the State.

2. Counter affidavit has also been filed on behalf of the State and the stand taken is that prior to takeover of the college by the State Government, the private Managing Committee has appointed the petitioner as a Bus Driver, which was not a sanctioned post and only on 26.08.2006, the service of the petitioner was regularized on the basis of Peon in the college, which was a sanctioned post and, thus, he having superannuated on 31.01.2014, having worked for about eight years only, such service is not pensionable. Copy of the counter affidavit has been served on learned counsel for the petitioner on 15.02.2017 i.e., more than a



year back, but no rejoinder to the same has been filed.

3. In view thereof, the writ petition stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	

