

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11170 of 2014

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1. Dr. Nawal Kishore Prasad Son of Raghunandan Prasad resident of Village- Taji Bigha, P.O- Mirchaiganj, Police Station- Nalanda, District- Nalanda at Biharsharif- 803111. (Appointed as Lecturer on 31.10.2013 and presently posted at N.G.P., Patna)
 2. Surya Nath Choudhary Son of Late Munar Chaudhary resident of C/o Basant Kumar, Naya Gaon, Gulzarbagh Police Station- Gulzarbagh, District- Patna- 8000007 (Appointed as Lecturer on 29.10.2013 and presently posted at G.P. Gulzarbag, Patna)
 3. Raushan Kumar Son of Ramjee Prasad C/o Manohar Prasad, Bilsa Devi Path Jeelganj, P.S- Kotwali, Gaya- 823001 (Appointed as Lecturer on 02.11.2013 and presently posted as G.P. Gulzarbagh, Patna)
 4. Vikash Kumar Son of Bimal Kumar Bishwas resident of Pakaria, P.O- Dharhan, Police Station- Pranpur, District- Katihar 854116 (Joined as lecturer on 30.11.2013 and presently posted as G.P., Katihar.
 5. Wakil Kumar Son of Prayag Mandal resident of Village & P.O- Khawaspur (East Tola), Police Station- Pirpainty, District- Bhagalpur- 813209. (Appointed as Assistant Professor on 01.11.2013 and presently posted as B.C. Bhagalpur)
 6. Rabindra Kumar Son of Shiv Nandan Prasad Singh resident of Village- Maharas, P.O- Sarbela, Police Station- Simri Bakhtiyarpur, District- Saharsa- 852127. (Appointed as Lecturer on 12.11.2013 and Presently posted as G.P. Bhagalpur)
 7. Sachin Prakash Son of Subhash Prasad resident of near Rani Talab, Ward no. 14, Police Station- Sultanganj, Bhagalpur- 813213, presently 5 M.H. MIG- 38, New Housing Board Colony, P.O- Barari, Bhagalpur- 812003.(Appointed as Assistant Professor on 01.11.2013 and presently posted as B.C. Bhagalpur.
 8. Ram Chandra Sahani Son of Late Basa Sahani resident of Village & P.O- Dumali Ghat, Police Station- Baldaour, District-Khagaria- 852161. (Appointed as Assistant Professor on 01.11.2013 and presently posted as Bhagalpur College of Engg. Bhagalpur.
 9. Sushil Kumar Gautam Son of Mithilesh Paswan resident of village Sohjana, P.O. & P.S- Makhdumpur, District- Jehanabad-804422 (Appointed as Lecturer on 30.10.2013 and presently posted as N.G.P., Patna- 13)
 10. Ranjeet Kumar Son of Brij Nandan Prasad resident of village & P.O.- Gola Bazar, Police Station- Kowakol, District- Nawada 805106 (Appointed as Lecturer on 30.10.2013 and presently posted as N.G.P., Patna- 13
 11. Atul Chandra Lal Son of Chandra Mohan Lal resident of Mohalla- Golghar, Opp.- Shiv Temple, P.O- GPO, Police Station- Gandhi Maidan, District- Patna- 800001. (Appointed as Lecturer on 30.10.2013 and presently posted at N.G.P., Patna- 13)
 12. Rana Randhir Pratap Son of Bihari Jee Gupta resident of Village & P.O- Ghusia Kalan, P.S- Bikramganj, District- Rohtas at Sasaram- 802212 (appointed as Lecturer on 11.11.2013 and presently posted as G.P., Katihar.)
 13. Sushant Kumar Son of Baleshwar Ram Resident of Village & P.O- Mukundpur Bhath, Police Station- Jandaha, Mahur, District- Vaishali- 844507 (Appointed as Lecturer on 01.11.2013 and presently posted as G.P.Chapra)
 14. Suman Kumar Son of Nandlal Choudhary resident of Village- Gonpura, P.O Netaul, P.S- Kadirganj, District- Patna- 804452 (Appointed as Lecturer on 02.11.2013 and presently posted at G.P.Chapra)
 15. Tunna Kumar Son of Lalji Rajak resident of Village- Chanandpur, P.O- Akauna, Police Station-unpun, District- Patna- 804453 (Appointed as Lecturer on 11.11.2013 and presently posted at G.P. Chapra)
 16. Pappu Paswan Son of Jageshwar Paswan resident of Village- Ahiyapur, P.O-



- Adalpur, Via- Muria, Police Station- Sadar, District- Darbhanga 847115. (Appointed as Lecturer on 01.11.2013 and presently posted as G.P.Chapra)
17. Dr. Prabhat Bharti Son of Dhaneshwar Prasad Singh resident of "Kusumanjali" Prakash Path, New Zero Mile, P.O.- Bhikhanpur, P.S- Ahiyapur, District- Muzaffarpur- 842004. (Appointed as Assistant Professor on 30.10.2013 and presently posted as M.I.T Muzaffarpur)
18. Dr. Suraj Kumar Sisodiya Son of Chandrika Singh resident of Kagzi Mohalla, Police Station- Biharsharif, District- Nalanda at Biharsharif, (Appointed as Assistant Professor on 31.10.2013 and presently posted as Motihari College of Engg., Motihari)
19. Priya Ranjan Kumar Son of Late Gagan Bihari Prasad resident of " GAGAN NIWASH" Saketpuri, Road No. 3, (South), P.S- Bhagwanpur, Muzaffarpur- 842001. (Appointed as Assistant Professor on 30.10.2013 and presently posted as Motihari College Engg. Motihari)
20. Pramod Kumar Son of Paramhans Roy resident of village & P.O- Bajidpur Saidal, Police Station-Bidupur, District- Vaishali- 844503. (Appointed as Assistant Professor on 01.11.2013 and presently posted as Motihari College of Engg., Motihari)
21. Motiur Rahman Son of Md. Samiullah resident of Village & P.O.Bagaha, Police Station- Ghorasahan, District- East Champaran (Motihari) 845315. (Appointed as Assistant Professor on 11.11.2013 and presently posted as Motihari College of Engg., Motihari)
22. Rakesh Roshan Son of Late Sahdeo Prasad Verma Residence of H/o Jail Lagan Roy, Ashok Nagar, R. No. 8A " Chhangr", P.S- Kankarbagh, Patna- 800020. (Appointed as Assistant Professor of 07.11.2013 and Presently posted at Motihari College of Engg., Motihari)
23. Kumar Sanjay Singh Son of Rabi Bhushan Prasad Shrivastava resident of " Suahma Sadan", Ward No. 14, House No. 105, Mohalla- Adhivakta Nagar (Near Mobile Tower), P.S- Gopalganj- 841428. (Appointed as Assistant Professor on 29.10.2013 and presently posted as Motihari College of Engg., Motihari)
24. Sarang Dhar Singh Son of Late Dip Narayan Singh resident of Vidhyapati Nagar, Ward No. 16, Near Vaishali Sadan, P.S- Saharsa, District-. (Appointed as Assistant Professor on 29.10.2013 and presently posted as Motihari College of Engg., Motihari.
25. Manish Kumar Son of Chhote Lal resident of Mohalla- Maranpur, P.O- Chand Chaura, Police Station- Civil Line, District- Gaya- 823001. (Appointed as Lecturer on 30.10.2013 and presently posted as G.P. Gulzarbagh, Patna)
26. Vibhash Kumar Son of Awadh Narayan Mandal resident of Village & P.O- Krishndaspur, Police Station- Kahalgaon, District- Bhagalpur 813222. (Appointed as Lecturer on 29.10.2013 and presently posted as G.P.Gaya)
27. Raj Kant Kumar Son of Birendra Singh resident of Village & P.O- MAI, Police Station Hilsa, District- Nalanda- 801308. (Appointed as Lecturer on 29.10.2013 and presently posted as G.P., Gaya)
28. Saurabh Suman Son of Niranjana Prasad Singh resident C/o Usha Singh, Teacher, Ward No. 14, At / P.S Chitragupta Nagar, District- Khagaria, 851204. (Appointed as Assistant Professor on 01.11.2013 and presently posted as Darbhanga College of Engg., Darbhanga.
29. Dr. Manoj Kumar Singh Son of Raj Naryan Singh Resident of Shiv Shakti Colony, Road no. 24-K, Rajiv Nagar, P.S- Rajiv Nagar, Patna 800024. (Appointed as Assistant Professor on 11.11.2013 and presently posted as Darbhanga College of Engg., Darbhanga.)
30. Saurav Chakrawarti Son of Bhuneshwar Prasad Yadav resident of Village & P.O.- Bhatgama, Police Station- Bhargama, District- Araria- 854202. (Appointed as Assistant Professor on 11.11.2013 and presently posted at Darbhanga College of



Engg., Darbhanga.

31. Dr. Jayanti Rani Daughter of Vimal Prasad Sharma resident of Dulari Vilash, Opp- Railway Hospital, Anandpuri Brahampura, P.S- Sadarthana, District- Muzaffarpur- 842003. (Appointed as Assistant Professor on 01.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga.)

32. Rajeev Kumar Jha Son of Late Prabodh Kumar Jha resident of Cooperative Colony, 52 Bigha Laxmi Sagar, P.S- Vishwavidyalaya Thana, District- Darbhanga- 846009. (Appointed as Assistant Professor on 02.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga.)

33. Kishore Kumar Purve Son of Tarni Purve resident of at & P.O.- Madhuban, Police Station- Uda Ki Shungani, District- Madhepura. (Appointed as Assistant Professor on 01.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga)

34. Rajesh Ranjan Kumar Son of Deo Narayan Yadav resident of village & P.O- Tirhuta, Police Station- Babu Barahi, District- Madhubani- 847224. (Appointed as Assistant Professor on 12.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga)

35. Nilesh Kumar Mishra Son of Late Manohar Mishra resident of Village- Shivania, P.O.+ P.S-Jamal- Gogri, District- Khagaria- 851203. (Appointed as Assistant Professor on 01.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga)

36. Ashok Kumar Son of Dudheshwar Singh resident of Village & P.O- Tarari, Police Station- Daudnagar, District- Aurangabad (Bihar)- 824113. (Appointed as Assistant Professor on 01.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga)

37. Jitendra Kumar Son of Jagdish Singh resident of Village- Kasiona, P.O+ P.S Raj Nagar, District- Madhubani- 847235. (Appointed as Assistant Professor on 01.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga)

38. Dr. Rajeshwar Rai Son of Mukhtar Rai resident of Village- Tawakil, P.O- Dayalpur, Police Station- Ekma, District- Saran at Chapra. (Appointed as Assistant Professor on 01.11.2013 and presently posted at Darbhanga College of Engg. Darbhanga)

39. Madhuri Kumari Daughter of Ram Brind Prasad Singh resident of Indrapuri Road No. 3/A, House NO. 34, Police Station- Keshra Nagar, Patna- 24, (Appointed as lecturer on 31.11.2013 and presently posted as G.P. Muzaffarpur).

40. Suresh Kumar Shukla Son of Dinesh Shukla resident of Pal Nagar, Fathehpur, P.S- Siwan, District- Siwan (Appointed as Assistant Professor on 06.12.2013 and presently posted as LNJPIT, Chapra)

41. Akhilesh Kumar Son of Raghunath Ram resident of Village- Jagdish Kamtaul, P.O.- " Anant Kamtul, P.S.- Kurhani, District- Muzaffarpur- 844120, (Appointed as Assistant Professor on 01.11.2013 and presently posted as LNJPIT, Chapra)

42. Mukesh Kumar Sinha Son of Late Ramchandra Prasad resident of Ram Rati Road, Maripur, P.S- Kaji Mohamadpur, District- Muzaffarpur, (Appointed as Assistant Professor on 01.11.2013 and presently posted as LNJPIT, Chapra)

43. Kumar Amitabh Son of Arvind Kumar Singh resident of C/o Arun Kumar Singh, Mohalla- Bharat Raut (Katra), Police Station- Hajipur, District- Vaishali at Hajipur. (Appointed as Assistant Professor on 01.11.2013 and presently posted as LNJPIT, Chapra)

44. Dr.Dhananjai Singh Son of Satyendra Narayan Sinha resident of K- 38, P.C Colony, Hanuman Nagar, P.S- Patrakarnagar, Kankarbagh, Patna, (Appointed as Assistant Professor on 01.11.2013 and presently posted as LNJPIT, Chapra)

45. Ajay Kumar Son of Ram Janu Singh resident of F- 104, Sant Vihar Apartment, Lohanipur, P.S- Kadamkuan, Patna- 800003 (Appointed as Assistant Professor on 01.11.2013 and presently posted as NCE, Chandi (Nalanda)



46. Rajeev Ranjan Son of Krishna Mohan Prasad resident of C/o Late Ram Prasad Lal, Vinoba path, Postal Park, P.S- Kankarbagh, Patna- 800001, (Appointed as Assistant Professor on 01.11.2013 and presently posted as LNJPIT, Chapra)
47. Dr. Rajnish Kumar Singh Son of Devendra Singh residnet of Gandak Colony, Qr. No. E/18, P.S Bhagwan Bazar, Chapra- 841301, (Appointed as Assistant Professor on 01.11.2013 and presently posted as LNJPIT, Chapra)
48. Rajeev Ranjan Son of Satya Narayan Prasad resident of Village- Semari, P.S- Palanma, District- E. Champaran (Motihari), (Appointed as Assistant Professor on 02.11.2013 and presently posted Motihari College of Engg. Motihari.)
49. Bidyanand Mahto Son of Janak Mahto resident of village & P.O Mohammadpur Koari, Via- P.S Waini, District- Samastipur- 848131 (Appointed as Assistant Professor on 01.11.2013 and presently posted at B.C.E. Bhagalpur.)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Science & Technology, Govt of Bihar, Patna.
3. The Director, Department of Science & Technology, Govt. of Bihar, Patna.

.... Respondent/s

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For the Petitioner/s : M/s Bindhyachal Singh, Prashant Sinha,
Advocates

For the S t a t e : Mr Sharvesh Kr Singh, AAG XIII with
Mr Shakib Ayaz, AC to AAG XIII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 31-07-2018

Heard learned counsel for the petitioners and the respondent-State.

Petitioners were appointed as Assistant Professors and Lecturers in the different Engineering Colleges and Polytechnics on a contractual basis for a period of one year or till regular appointment, whichever was earlier. After their appointment on contractual basis on 28.10.2013, before lapse of their one year period of contract, the Government has framed Rules, namely, Bihar Polytechnic Education Service Rules, 2014 and Bihar Engineering Education Service Rules, 2014 providing the process for selection and appointment to the posts.



In a process for selection under the said Rules, one of the instant petitioners, namely, petitioner No 2 Surya Nath Chaudhary was duly selected and he has been appointed on a regular basis. Writ petition on his behalf has become infructuous. The other petitioners are continuing upon renewal of their contract from time to time.

Since no right has been established for absorption and the petitioners are in service only on the basis of contract, learned counsel for the petitioners submits that the State Government has come out with certain policy decisions for absorption/regularization of such contractual employees and that they would be applying for consideration in light of the said Scheme.

Since no details of the Scheme have been provided, this Court would only observe that if such Scheme is there, the petitioners may apply and be considered on the basis of the qualifications and requirements framed in the Scheme. It will be open to the petitioners to assert their claim with reference to any subsisting scheme only.

No further order need be passed in the instant writ petition. The writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.08.2018
Transmission Date	NA

