

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.106 of 2017

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Raghunath Jha S/o Late Rajanikant Jha resident of Village - Dadpur, P.O. :
Keshopur, P.S. : Jhajha, District : Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through its 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 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, Advocate
For the Respondent/s	:	Mr. Madhaw Prasad Yadav-GP23
For University	:	Mr. Shailendra Kumar Singh, Advocate

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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 as well as University.

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

Since the order of absorption of the petitioner contained in Annexure-11 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 the benefit of counting past service referring to the statutory provision 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)

Ravi/-

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