

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1 of 2018

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Rakesh Kumar Jha, S/o Late Laliteshwar Jha, resident of village - Madhpur,
P.S. - Kamtaul, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
3. The Director, Higher Education, Govt. of Bihar, Patna.
4. The Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga through its Registrar.
5. The Vice Chancellor, Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga.
6. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
7. The Principal, Maharaja Lakshmeshwar Singh College, Darbhanga, P.S. and Distt. Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha, Advocate
Mr. Pranav Kumar Jha, Advocate

For the Respondent/s : Mr. Kameshwar Kumar, GP- 17
Mr. Arbind Kumar, AC to GP-17

For the University : Mr. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioner, State and

learned counsel appearing on behalf of L. N. Mithila University.

Mr. Nadim Seraj, learned counsel appearing on
behalf of the University submits that the writ application itself
may be disposed of, as the matter is pending before the University
and the University is yet to take any final decision.

Mr. Subodh Kumar Jha, learned counsel appearing
for the petitioner submits that in view of the fact that the father of



the petitioner was absorbed by the University in terms of Section 4(1)(14) of the Universities Act and the notification was also issued by the University after the judgment of the Hon'ble Apex Court reported in 2015 (2) PLJR 437 SC (Amarkant Rai Vs. The State of Bihar & Ors.) and, as such, the respondents are required to consider the case of the petitioner for compassionate appointment in view of the fact that the father of the petitioner was the employee of the University and died in harness.

Considering the fair stand of Mr. Nadim Seraj, learned counsel for the University, the writ application is disposed of with a direction to the University to take final decision, if not already taken, in accordance with law within a maximum period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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