

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11559 of 2000

1. Dr. Ashok Kumar son of late Ram Raj Singh, University Professor, Department of Political Science, Gaya College, Gaya.
 2. Dr. Lalan Tiwari son of late Sita Ram Tiwary, University Professor, Department of Political Science, Gaya College, Gaya.
 3. Dr. Arun Kumar Singh, S/o Ekbal Bahadur Singh, University Professor, Department of Chemistry, Magadh University, Bodh Gaya, District-Gaya.
 4. Dr. Anjani Kumar Verma, S/o Late Raj Ballabh Sahay, Reader, Department of Physics, Gaya College, Gaya.
 5. Dr. Radhey Mohan Prasad, S/o late Braj Mohan Prasad, Reader, Post Graduate Department of Economics, Magadh University, Bodh Gaya, District-Gaya.
 6. Daya Shankar Pandey, S/o late Kailash Pandey, Reader, Department of Mathematics, Gaya College, District-Gaya.
 7. Dr. Munishwar Kumar, Son of late Gwali Charan, University Professor, Department of Chemistry, Gaya College, Gaya.
 8. Dr. Quamar Ahsan, Son of late Muzaffar Ahsan, University Professor, Department of Economics, A.N. College, Patna.
 9. Dr. Kamesh Kumar, Son of Sri Deobansh Singh, University Professor, Department of Economics, A.N. College, Patna.
 10. Dr. Parikshit Sharma, Son of late Padumdeo Sharma, University Professor, Department of Psychology, J.J. College, Gaya.
 11. Dr. Arvind Kumar Sinha, Son of late Bhuwaneshwar Sinha, University Professor, Department of Botany, Gaya College, Gaya.
 12. Dr. Ranjit Kumar Verma, Son of Dr. Vishwanath Prasad Verma, University Professor, Post Graduate, Department of Chemistry, P. S. Magadh University, Bodh Gaya, District-Gaya. Petitioner/s
- Versus
1. The State of Bihar.
 2. The Secretary, Department of Higher Education, New Secretariat, Government of Bihar, Patna.
 3. Magadh University, Bodh Gaya, through its registrar, Bodh Gaya, District-Gaya.
 4. Vice-Chancellor, Magadh University, Bodh Gaya, District-Gaya.
 5. Finance Officer, Magadh University, Bodh Gaya, District-Gaya. Respondent/s
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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad Singh, Sr. Counsel Mr. Nirala Singh, Advocate Mr. Gyanendra Kumar Diwakar, Advocate
For the Respondent/s	:	Mr. (Sc7)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date : 25-10-2018

Mr. Rajendra Prasad Singh, learned senior counsel
appearing on behalf of the petitioners submits that he has no



instruction from the petitioner nos. 4, 8,9, 10 and 12.

2. He further submits that since petitioner no.3 has retired on 30.6.2018 and as such he has withdrawn the application from Justice S.N. Jha Commission.

3. Considering the aforesaid, he submits that now the writ application is required to be decided so far as petitioner nos.1, 2, 5,6 7 and 11 are concerned.

4. Referring to Annexure-15 series he submits that the issue as to the date of entry in the service and counting seniority has been decided by Annexure-15 series and Justice S.N. Jha Committee has already decided that petitioner nos. 1,2,5, 6,7 and 11 have been appointed after following the selection process and as such their seniority has been counted from the initial date of appointment and not from the date of absorption.

5. In view of the above, the writ petition stands disposed of with direction to the respondents to grant the benefit of seniority and all consequential benefits to the petitioner nos. 1, 2, 5, 6, 7 and 11 from the initial date of appointment.

6. Necessary decision in this regard may be taken by the respondents within a maximum period of four months from the date of receipt/production of a copy of this order with



all consequential benefits.

7. So far as petitioner nos.3,4 8, 9, 10 and 12 are concerned,the University is also required to examine the record and if it is found that their initial appointmnt is by following the selection process,the same benefit may be given to them also within the same time indicated hereinabove.

8. With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	1.11.2018
Transmission Date	

