

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.250 of 2011

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1. Anirudh Yadav S/O Late Satya Narain Yadav R/O Mohalla Sahebganj,
P.O. Champanagar, P.S. Vishvavidyalaya, District Bhagalpur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary Higher Education Department, Govt. Of Bihar, Vikash Bhawan, New Secretariate, Bailey Road, Patna.
3. The Tilka Manjhi Bhagalpur University, Bhagalpur Through Its Registrar, District Bhagalpur.
4. The Vice Chancellor, Tilka Manjhi Bhagalpur, University, Bhagalpur, District Bhagalpur.
5. The Registrar, Tilka Manjhi Bhagalpur University, District Bhagalpur.
6. The Head Of The Department Of Psycology Of The Post Graduate Deptt. Of Tilka Manjhi Bhagalpur University.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Sharan Pandey
For the Respondent/s : Mr. Sita Ram Yadav, G.P.16.
For the University : Mr. Ashhar Mustafa, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

5 20-06-2018 Heard learned counsel for the petitioner and counsel appearing on behalf of the State as well as learned counsel for the University.

The present writ application was filed by the writ petitioner for a direction to the respondent to regularize the service of the petitioner by recommending the case of petitioner to the Secretary Higher Education Department for regularization in terms of judgment of *Braj Kishore Singh Vs. State of Bihar 1997(1) PLJR 509*.



The learned counsel for the petitioner has placed reliance on the decision of this Court in which Hon'ble Chancellor has passed order for their regularization. On behalf of the State stand was taken with reference to the judgment in the case of M.L. Keshri (2010) 9 SCC 247 and Ram Sewak Yadav's case that the petitioner's case does not deserve consideration for regularization in the light of the judgment of Full Bench reported in **1997(1) PLJR 509.**

From the pleadings, it appears that the petitioner has worked for more than 10 years and have been regularized vide Annexure-3 and as such the University is required to consider the case of the petitioner in the light of the judgment of the Hon'ble Apex Court in the case of *Secretary, State of Karnatana Vs. Uma Devi (2016) 4 SCC 1 and the decision in the case of M.L. Keshri Vs. State of Karnatana (2010) 9 SCC 247.* Final decision in this regard must be taken by the respondent authorities within a maximum period of four months from the date of receipt / production of a copy of this order.

With the aforesaid, this writ petition is disposed of.

(Anil Kumar Upadhyay, J)

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