

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18293 of 2010

Dr. (PRO.) Kedar Nath Mahto S/O Late Darogi Mahto R/O Vill.-Mahanand-Pur, P.O.- Lal Bigha, P.S.- Shekhpura, Distt.- Shekhpura, At Present Living In F. Sector No. 648, Malagi Pakari, Kankarbagh, Patna-20

... .. Petitioner/s

Versus

1. That State Of Bihar Through The Principal Secretary Human Resources Development Department, Govt. Of Bihar, Vikas Bhawan, Patna
2. The Secretary, Higher Education Human Resources Development Department, Govt. Of Bihar, Vikas Bhawan, Patna
3. The Vice-Chancellor, Magadh University, Bodh-Gaya
4. The Registrar, Magadh University, Bodh Gaya
5. The Finance Officer, Magadh University, Bodh Gaya
6. The Convenor, Secrening Committee, Magadh University, Bodh Gaya
7. The Principal, R.K.D. College, Lohia Nager, Kankarbagh, Patna-20
8. Dr. (PRO) V. Krama Singh, R.K.D. College, Lohia Nagar, Kankarbagh, Patna-20

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bankey Bihari Singh
For the Respondent/s : Mr. (Sc10)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 13-08-2018 Heard learned counsel for the petitioner and the counsel appearing on behalf of the State as well as University.

Learned counsel for the petitioner submits that petitioner was appointed as Lecturer in the erstwhile affiliated college made constituents in fourth phase.

The issue of fourth phase has been settled by the Apex Court in the case of **State of Bihar & Ors. vs. Bihar Rajya M.S.E.S.K.K. Mahasangh & Ors. reported in (2005)9 SCC 129.**

After the judgment and direction of the Apex Court



the case of the petitioner was considered for absorption as petitioner's name figures in the letter no. 181(c) as well as he was identified against the post admissible under the recommended category of R-1.

In view of the above, the respondents are directed to work out the entitlement of the petitioner with regard to consequential benefit within a maximum period of four months from the date of receipt/production of a copy of this order.

Liberty shall be available to the petitioner to file representation with regard to claim of leave encasement before respondent University and the respondent University will pass appropriate order on the representation for grant of leave encasement within the time frame indicated hereinabove.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

