

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21107 of 2011

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Kumar Prakash Ranjan Son Of Sri Janardan Poddar Resident Of Mundichak,
P.S.-Bhagalpur (kotwali), District-Bhagalpur.

... .. Petitioner/s

Versus

1. The Principal Secretary, Human Resources Department, Government Of Bihar, Patna.
2. The Director, Higher Education, Government Of Bihar, Patna.
3. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. The Principal, Ramadhin College, Sheikhpura, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Purosotam Kumar Jha
For the Respondent/s	:	Mr. Kaushal Kr. Jha Sc4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 22-06-2018 Heard Mr. Purosotam Kumar Jha, learned counsel for the petitioner, learned counsel for the State as well as University.

The grievance in the present writ application is confined to the extent that the petitioner's case was not duly considered by the respondents while considering the case of similarly circumstanced others. He submits that notwithstanding his seniority he was absorbed as "Typist" whereas others who were below in the seniority list were absorbed as "Assistant". He further submits that the University has considered the case of many others after finalization of the regularization/absorption/regular appointment but the case of



the petitioner was not considered. Mr. Jha submits that in view of the litigation policy of 2011, the University is required to extend similar treatment to this petitioner.

In view of the above, the writ petition is disposed of with liberty to the petitioner to file representation indicating therein that juniors to the petitioner in the panel have been absorbed as Assistant, ignoring the case of the petitioner and if it is found that similarly circumstanced others have been accommodated or absorbed as Assistant, similar benefit should be extended to this petitioner. In case, the University found the case of the petitioner distinguishable on fact and law, the University is required to give reason for distinguishing the case of the petitioner.

Entire exercise in this regard may be completed by the University within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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