

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16079 of 2014

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Newa Lal Thakur Son of Late Dukhi Thakur, Resident of Village- Chhatauni,
P.S.- Basopatti, District- Madhubani- 847225

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Education, Govt. of Bihar, Patna
2. The Principal Secretary, Dept. of Education, Govt. of Bihar, Patna
3. The Director, Higher Education, Dept. of Education, Govt. of Bihar, Patna
4. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
5. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
6. The Secretary, Saint Narayan Sanskrit College, Chhatauni, Madhubani
7. The Principal, Satya Narayan Sanskrit College, Chhatauni, Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satyam Shivam Sundaram
For the State	:	Mr. Ravi Verma, AC to GP 4
For the University	:	Mr. Awadhesh Prasad Verma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 12-10-2018

Heard Mr. Satyam Shivam Sundaram for the petitioner,
learned counsel for the State and Mr. Awadhesh Prasad Sinha,
learned counsel representing the respondent-University.

Learned counsel appearing for the petitioner submits
that the University has taken decision with regard to approval of
the service of the petitioner vide Annexure-11 to the writ petition.
The said decision was taken pursuant to the order dated
20.09.2010 passed in CWJC Nos. 13922 of 2008 and 14555 of
2008. Thereafter the Deputy Director, Education Department was



requested for release of fund so that the same may be paid to the petitioner vide letter no. 748 dated 02.02.2014.

Mr. Sundaram, learned counsel representing the petitioner with reference to the order passed in CWJC No. 14552 of 2014, wherein the same issue was considered by this Court, submitted that the present writ application deserves to be disposed of with similar terms. Since while disposing of the said writ petition this Court has noticed the fact that the University has granted provisional approval to the service of the petitioner as such necessary decision is required to be taken at the level of the Government. The Court also noticed that Vishnudeo Prasad, petitioner in the said writ petition, was initially appointed in 1978 and he completed 40 years of service. The present case also requires expeditious disposal as the present petitioner was also appointed in the year 1978 and put 40 years of service like the petitioner of CWJC No. 14552 of 2014.

Considering the entire facts and circumstances of the case and in view of the submission made by learned counsel for the petitioner, the Director, Higher Education Department is directed to take appropriate decision with regard to the claim of the petitioner and release adequate fund so that payment should be made to the petitioner. Necessary decision in this regard may be



taken at the earliest, preferably within a period of four months. The University is expected to release the fund in favour of the petitioner after receipt of such grant from the State Government.

It should be kept in mind that the petitioner was a Safai Karmi and considering the hardship of a low paid employee like the petitioner the respondents should take appropriate decision at the earliest. While taking decision the State Government is to see that services of similarly circumstanced other employees like Aditya Nath Jha were regularized and approved by the State which is evident from Annexure-8.

The writ petition stands disposed of accordingly.

(Anil Kumar Upadhyay, J)

mrl/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.10.2018
Transmission Date	N.A.

