

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9510 of 2018

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Madan Sharma, son of Late Ram Chandra Singh, Resident of Village -
Kajipahepur, P.S. - Behaganj, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
2. The Principal Secretary, Department of Higher Education, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
3. The Secretary, Department of Education, Government of Bihar, Patna.
4. The Magadh University through its Registrar, Bodh Gaya, Gaya.
5. The Vice-Chancellor, Magadh University, Bodh-Gaya, Gaya.
6. The Registrar, Magadh University, Bodh Gaya, Gaya.
7. The Finance Officer, Magadh University, Bodh Gaya, Gaya.
8. The Principal, S.B.A.N. College, Darhetta Lari, District - Arwal.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Advocate

For the Respondent/s : Mr. Kameshwar Kumar, GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 18-07-2018

Heard learned counsel for the petitioner and State as well
as University.

In view of the decision of the State Government in relation to sanction of post and absorption of the employee in the colleges made constituent by the way of letter no. 38(c) dated 01.02.1988 and after judgment of 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 the petitioner was absorbed in the services of University.

In view of the decision in C.W.J.C. 17670 of 2017,



the writ petition is allowed. The respondents are directed to restore the petitioner the status of absorbed employee and reviewing the order of absorption is hereby declared as nullity. The respondents are directed to grant all consequential benefits to the petitioner within a period of four months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	4.08.2018
Transmission Date	

