

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2780 of 2017

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Jai Prakash Singh, Son of Kanhaiya Lal Singh, Resident of Village-Maharajganj,
P.O.-Gultenganj, District-Chapra, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Bihar, Patna.
2. Jai Prakash University, Chapra, through its Registrar.
3. The Vice-Chancellor, Jai Prakash University, Chapra.
4. The Registrar, Jai Prakash University, Chapra,
5. B.R.A. Bihar University, Muzaffarpur through its Registrar.
6. The Registrar, B.R.A. Bihar University, Muzaffarpur.
7. The Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 3180 of 2017

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Satyadev Kumar Singh, Son of Late Bhaw Nath Singh, Resident of Mohalla-Katra,
P.O. and District-Chapra, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education, Department, Bihar, Patna.
2. Jai Prakash University, Chapra, through its Registrar.
3. The Vice-Chancellor, Jai Prakash University, Chapra.
4. The Registrar, Jai Prakash University, Chapra,
5. B.R.A. Bihar University, Muzaffarpur through its Registrar
6. The Registrar, B.R.A. Bihar University, Muzaffarpur.
7. The Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur

.... Respondent/s

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Appearance :

(In CWJC No.2780 of 2017)

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

(In CWJC No.3180 of 2017)

For the Petitioner/s : Mr.

For the State : Mr. Rajeev Ranjan, AC to G.P20

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT



Date: 21-06-2018

Heard learned counsel for the petitioners; State; B.R.A. Bihar University and J.P. University.

2. The petitioner has moved the Court for the following reliefs :-

“ I. To fix pension of the petitioners since the date of retirement i.e. 29.06.2011 and 31.07.2015 and pay the same to them on month to month basis and arrears of salary from 03.03.2010 to till retirement.

II. To pay the entire amount of retirement benefits to the petitioners with interest i.e. the amount of gratuity, earn leave, group insurance and P.F. and A.C.P. etc.”

3. At the very outset, learned counsel for the J.P. University submitted that the issue is fully covered by a decision of this Court dated 17.02.2018 in C.W.J.C. No.19337 of 2016. It was submitted that the writ petition was dismissed.

4. In the counter affidavit filed on behalf of the J.P. University, facts have been stated to indicate that neither the post held by the petitioner was created nor sanctioned nor was advertised by the University as per the requirement of Article 3 Clause 5 of the University Statutes contained in Governor's Secretariat letter no. BSU 36/80-5270 GS (1) dated 08.11.1980 and further, that even the



notifications issued by the then Registrar of the University dated 11.08.2010 and 03.03.2012 were not in terms of the statutory provisions and the service of the petitioner was never regularized.

5. Having regard to the aforesaid, the Court finds the issue covered by the aforesaid decision of the Court in C.W.J.C. No.19337 of 2016. Accordingly, the present writ petition stands dismissed in similar terms.

(Ahsanuddin Amanullah, J)

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