

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17147 of 2014

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Nagendra Prasad Singh Son of Late Lattar Singh Resident of Village -
Chhatauni, P.S. Basopatti, District - Madhubani

... .. 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, Satya 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. Uday Prasad, AC to GP 22
For the University	:	Mr. Gyanand Roy

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 12-10-2018

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel representing the respondent-University.

The petitioner was initially appointed as Ward Servant in Satya Narayan Sanskrit College, Chhatauni, Madhubani on 05.01.1980. He has put in 38 years of service. The grievance of the petitioner in the instant writ petition is that notwithstanding the petitioner is continuously working for last nearly 38 years, he has not been granted the status of a regular employee and denied payment of regular employee.



The petitioner had earlier approached this Court by way of filing CWJC No. 14552 of 2008 which was disposed of on 20th September, 2010. The Court directed the respondents to examine the claim of the petitioner for regular appointment. After the order of the Court the respondent-University has decided in favour of the petitioner and office order was also issued for approval of the service of the petitioner. After the office order dated 25.02.2011 the Registrar of the University requested the Deputy Director, Higher Education to take steps for release of adequate fund so that payment may be made to the petitioner as evident from Annexure-11. The recommendation is dated 2nd February, 2014. Unfortunately, even after four years the matter is still pending at the level of the State Government.

Considering the hardship of the petitioner which he is facing for the last 38 years without getting the status of regular employee, the Director, Higher Education is hereby directed to take appropriate decision on the recommendation of the University with regard to approval of service of the petitioner as indicated hereinabove and take final decision for release of fund within a period of four months. The University is expected to utilize the fund released by the State Government for payment of the dues to



the petitioner within one from the date of such release by the State Government.

It may be noted here that services of similarly circumstanced other employees have been regularized and funds have been released in their favour by the State Government including Aditya Nath Jha.

Learned counsel for the petitioner has submitted that the petitioner was paid salary for the period from 2008 to 2011 and thereafter he has not been paid regular salary. This fact may be considered by the respondents while releasing fund for payment of salary on approval of the service by the respondents.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

mrl./-

AFR/NAFR	NAFR
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