

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6211 of 2018

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1. Smt. Hira Srivastava, D/o Late Dwarika Prasad, Retired Reader, Department of Economics, Mahila College Dalmia Nagar, P.S. Dehri-on-Sone, Rohtas (Sasaram).
 2. Bikrama Singh, S/o Late Mahesh Narain Singh, Retired Reader, Department of Political Science, Mahila College Dalmia Nagar, P.S. Dehri-on-Sone, Rohtas (Sasaram).
 3. Om Prakash, S/o Late Mukhlal Choudhary, Retired Reader, Department of English, Mahila College Dalmia Nagar, P.S. Dehri-on-Sone, Rohtas (Sasaram).
 4. Smt. Uma Verma, D/o Late Mathura Prasad, Retired Lecturer, Department of Home Science, Mahila College Dalmia Nagar, P.S. Dehri-on-Sone, Rohtas (Sasaram).
 5. Smt. Sarva Mangla Devi, D/o Late Pandit Ganesh Dutt Mishra, Retired Reader, Department of Sanskrit, Mahila College Dalmia Nagar, P.S. Dehri-on-Sone, Rohtas (Sasaram).

.... Petitioner/s

Versus

1. The Veer Kunwar Singh University, Ara through its Registrar at + P.S. and District Ara.
2. The Vice Chancellor, Veer Kunwar Singh University, At + P.S. and District - Ara.
3. The Registrar, Veer Kunwar Singh University at + P.S. and District Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Singh, Advocate

Mr. Sushil Kumar Ray, Advocate

For the Respondent/s : Mr. Rajesh Prasad Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 01-05-2018

Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

2. The grievance of the petitioners in the present application is alteration in the date of absorption contrary to the report of Justice S.C. Agrawal Commission (Retired), which was accepted by the Apex Court in the case of **Bihar Rajya**



M.S.E.S.K.K. Mahasangh and Others reported in (2005) 9 SCC 129.

3. Learned counsel for the petitioners with reference to various orders and decisions passed by this Court has submitted that this Court has authoritatively held out that the University has no business to alter the date of appointment incorporated in the report of justice S.C. Agrawal Commission, which has merged in the order of the Apex Court in **Bihar Rajya M.S.E.S.K.K. Mahasangh and Others** case (supra).

4. Learned counsel for the University submits that the University has realized the mistake and, as such, the University has decided to place the matter of the petitioners and alike before the Post Creation and Absorption and Confirmation Committee and as such he submits when the University is prepared to take corrective measures, the Court may grant indulgence in the nature of four months time so that the errors committed in the past may be rectified.

5. Considering the aforesaid stand taken by the learned counsel for the University on instruction from University, the writ application is disposed of with a direction to respondent Vice-Chancellor of Veer Kunwar Singh University to rectify the mistake in the light of the report of Justice S.C. Agrawal



Commission, which was approved by the Apex Court in **Bihar Rajya M.S.E.S.K.K. Mahasangh and Others** case (supra) within the time of four month as prayed by the respondent university.

6. It is goes without saying that the petitioner would be entitled to all consequential benefits on correction made by the respondent University.

7. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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