

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19940 of 2018

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1. The Bhagalpur National College Shikshetar Karmchari Sangh, Through its President Sri Vijay Kumar Chaudhary, Son of Late Chhedi Chaudhary, R/o – Kali Gati Lane, Adampur, P.S. - Adampur, Town & District - Bhagalpur
 2. Ashok Kumar Singh, Joint Secretary, Bhagalpur National College Shikshetar Karmchari Sangh, S/o – Late Premchandra Singh, R/o – Garaihya Gola Ghat, Naya Bazar, P.S. - Tatarpur, Town & District - Bhagalpur

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University, Bhagalpur, through it's Registrar
2. The Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur.
3. The Registrar, T.M. Bhagalpur University, Bhagalpur.
4. The Finance Officer, T.M. Bhagalpur University, Bhagalpur.
5. The Principal, B.N. College, Bhagalpur.
6. The State of Bihar, through the Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
7. The Director, (Higher Education), Department of Education, Government of Bihar, New Secretariat, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. M.K. Jha, Advocate
For the T.M.B.U. Bhagalpur:	:	Mr. Ashhar Mustafa, Advocate
For the State	:	Mr. Apurv Harsh, AC to SC 28

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 14-12-2018

Heard learned counsel for the petitioners and the respondents.

It is submitted that on account of the decision as contained in office order no. 175 of 2012 dated 22.06.2012 the petitioners herein are also entitled to the benefits of their absorption/regularization with effect from 05.04.1982. He submits that in respect of others who were governed by the said office order, the University has already sanctioned and allowed the consequential benefits. The orders in favour of other



similarly situated have been placed at Annexure 15 series of the instant writ petition. It is his submission that in spite of several representations, the benefits have been denied to the petitioners on some flimsy grounds though they were party to the proceedings arising out of C.W.J.C. No. 78 of 2006.

Since prima facie submission of the counsel for the petitioners makes out a case for consideration of the petitioners' claim so as to maintain parity with others, this Court would observe that the respondents no. 2 and 3 shall consider the petitioners' claim.

Though a submission has been made that several representations have been filed but in the instant writ petition, no such representations have been annexed. Therefore, the petitioners would be at liberty to submit their comprehensive claim citing decision in favour of other similarly situated contained in Annexure 15 as also the order of this Court in the proceedings arising out of MJC No. 4714 of 2014. In case such an application is filed, the respondents No. 2 and 6 shall be obliged to consider the same in accordance with law by a reasoned and speaking order and if the petitioners are found to be entitled to parity with those in respect of whom benefit has been granted by Annexure 15, the same shall be done within a



period of three months from the date of receipt/production of a copy of this order along with a representation which ought to have been filed by the petitioners within a period of four weeks from today.

Writ petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

