

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4872 of 2018

-
1. Deo Narayan Sah, Son of Late Mahavir Sah, Resident of Village- Mahuli Ward No. 04, P.O.- Manpur, Police Station- Gamhariya, District- Madhepura.
 2. Kamal Kishore Sah, Son of Late Radhe Prasad Sah @ Radhe Prasad Gupta, Resident of Mohalla- Purani Bazar, Ward No. 10, Madhepura, Police Station and District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.N. Mandal University, Madhepura.
5. The Registrar, B.N. Mandal University, Madhepura.
6. The Principal Parwati Science College, Kirtinagar, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s : Smt. Shilpa Singh- GA-12

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 18-07-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondents.

2. The two petitioners claim absorption on the post of Clerk/Store Keeper and Lab Incharge Chemistry Department. The petitioner No. 1 was appointed as Clerk/store keeper on 18.2.1983 whereas the petitioner No. 2 was appointed as Lab Incharge in the department of Chemistry on 21.3.1981. The College was made constituent unit in 4th phase.

3. Learned counsel for the petitioners submits that although the petitioners were regularly working, their names figure



in three-men committee report but their names were not included in letter No. 25C issued by the State Government with regard to provisional absorption of non-teaching employees.

4. From the pleadings it appears that at no point of time they were paid salary or they were recognized as non-teaching employees working in the college in question although there is averments in the writ petition that the names of these petitioners were recommended for consideration and absorption. The letter of the Principal does not merit any consideration for the purpose of deciding the present writ petition.

5. Considering that the names of the petitioners did not figure in the letter No. 25C nor they were paid salary from the date of take over till date, the Court does not find any merit in the writ petition. It is, accordingly, dismissed.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.07.2018
Transmission Date	

