

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5977 of 2018

Dr. Juhi Kumari, Wife of Late Ravikant, Resident of Mohalla-New Colony,
South of Water Tank, P.S.-Saharsa, District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat Building, Bihar, Patna.
2. The Vice-Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
3. The Registrar, B.N. Mandal University, Laloo, Madhepura,
4. The Principal, S.N.S.R.K.S. College, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Kameshwar Kumar- GP-17
		Mr. Arbind Kumar, AC to GP-17

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. In the instant case the petitioner claims that she was
appointed against vacant post of Music Teacher on 26.03.1987 and
she joined the post on 27.03.1987.

3. Learned counsel for the petitioner submits that in the
instant case the cut off date is 31.3.1987 and as such the petitioner
was appointed on vacant post of Music Teacher prior to the cut off
date.

4. Learned counsel appearing on behalf of the
University submits that the petitioner was working in two



different colleges and as such her claim for absorption in the college in question is unsustainable.

5. Learned counsel for the petitioner submits that the petitioner was working, in fact, in the college in question and in another college as a guest. He admits that the petitioner was never paid salary after the college was made constituent unit and she was not absorbed in the service of the University.

6. In view of the above, no positive direction can be issued in the instant case. However, liberty shall be available to the petitioner to approach the University and if the University is satisfied that petitioner was appointed in the college in question following the process of selection and she has requisite qualification and the post is vacant, her case may be considered in accordance with the observations made in the order dated 17.7.2018 passed in CWJC No. 17670 of 2017.

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

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.07.2018
Transmission Date	

