

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1132 of 2018

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Shubh Dayal Singh, son of Late Ramnandan Singh, resident of Village- Harpura,
P.S. Dulhinbazar, P.O. M. Dehuli, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner-cum-Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Deputy Secretary, Human Resources Development Department, Government of Bihar, Patna.
4. The Director, Human Resources Development, Higher Education, Government of Bihar, Patna.
5. The Magadh University through its Vice- Chancellor, Magadh University, Bodhgaya.
6. Registrar, Magadh University, Bodh Gaya.
7. The Finance Officer, Magadh University, Bodh Gaya.
8. The Principal, Ramkrishna Dwarika College, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Verma, Advocate

For the Respondent/s : Smt. B. Singh, SC28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 18-07-2018

The name of the petitioner in this writ application figures in the list of teachers to be provisionally absorbed in letter no. 181(C) dated 18.12.1989, but his services were not absorbed in the University. The petitioner was paid salary, but formal order of his absorption was not issued.

2. In view of the judgment of the Apex Court in the case of State of Bihar & Ors. vs. Bihar Rajya M.S.E.S.K.K. Mahasangh & Ors. reported in (2005) 9 SCC 129 and the decision in C.W.J.C. No. 17670 of 2017 the University is directed to absorb the



services of the petitioner with all consequential benefits.

3. In view of the above, the University is required to examine the claim of the petitioner and if it is found that he is regularly working and there exist vacancy the University is directed to take decision in the light of the judgment of **Mahasangh** case (Supra). The consequential benefit to this petitioner will accrue from the date of the decision by the University with regard to take over the petitioner in the light of **Mahasangh** case (Supra).

4. Final decision in this regard must be taken by the University within a period of three months from the date of receipt/production of a copy of this order.

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

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28 .07.2018
Transmission Date	

