

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8213 of 2018

=====

Ajay Kumar Son of Late Mahabir Prasad Mandal Resident of Ward No. 18,
Vidyapati Madhepura, P.O. + P.S. Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Higher Education, Govt. of Bihar, Patna.
2. The B.N.Mandal University Madhepura through its Registrar having office at Laloo Nagar, Madhepura.
3. The Vice-Chancellor, B.N. Mandal University having office at Laloo Nagar, Madhepura.
4. The Registrar, B.N. Mandal University having office at Laloo Nagar, Madhepura.
5. The Principal, Parvati Science College, Kirti Nagar, Madhepura.
6. Sri Sitaram Mehta, Dept. of AIH Parvati Science College, Madhepura.
7. Sri Lalan Prasad Adri, Dept. of AIH Parvati Science College, Madhepura.
8. Sri Nand Kishore Singh, Dept. of AIH Parvati Science College, Madhepura.
9. Sri Surendra Kumar, Dept. of AIH Parvati Science College, Madhepura.
10. Sri Jai Krishna Prasad Yadav, Dept. of AIH Parvati Science College, Madhepura.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Nikesh Kumar
For the Respondent/s : Mr. Prabhakar Jha- Gp27

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 06-08-2018 In the order dated 30.4.2018 there is error that instead of C.W.J.C. No. 17670 of 2017 it was wrongly mentioned as C.W.J.C. No. 17672 of 2017.

In view of the above, C.W.J.C. No. 17672 of 2017 typed in the order dated 30.4.2018 be read as C.W.J.C. No. 17670 of 2017.

Considering the fact that C.W.J.C. No. 17670 of 2017 was disposed of vide order dated 17.7.2018 the present writ application is also disposed of in the light of C.W.J.C. No.



17670 of 2017 as petitioner in this case was also appointed initially as Lecturer in the erstwhile affiliated college which was made constituent in fourth phase and after 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** the case of the petitioner was considered by the University for absorption in terms of Section 4(1)(14) of the Bihar State Universities Act and thereafter at the dictate of the State Government, the University reviewed the decision of absorption.

Considering the judgment in C.W.J.C. No. 17670 of 2017 the order of reviewing the notification of absorption of the petitioner is declared nullity, the respondents are directed to restore the petitioner the status of absorbed teachers with all consequential benefits.

Final decision as to the consequential benefit must be taken by the University within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

