

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6339 of 2018

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Hari Narayan Tiwari, S/o Late Pampal Tiwari, Lecturer Deptt. of Plo. Sc.
S.B.A.N. College Darhatta Lari, R/o Janta Flat No. 19/226 Lohia Nagar,
Kankarbagh, Patna.

... .. Petitioner/s

Versus

1. The Magadh University, Through Its Registrar, Magadh University, Bodh Gaya, Distt- Gaya.
2. The Vice-Chancellor, Magadh University, Bodh Gaya, Distt- Gaya.
3. The Registrar, Magadh University, Bodh Gaya.
4. The Principal Secretary to the Government, Department of Higher Education, Government of Bihar, Patna.
5. The Principal Secretary to the Government Department of Finance, Government of Bihar, Patna.
6. The Principal, S.B.A.N. College, Darhatta Lari, District- Gaya. null null

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar
For the Respondent/s	:	Mr. Madanjeet Kumar -Gp20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 19-07-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State as well as University.

2. Mr. Shashi Bhushan Kumar, learned counsel
appearing on behalf of the petitioner submits that in terms of the
judgment of Apex Court in **State of Bihar Vs. Bihar Rajya**
MSESKK Mahasangh: (2005) 9 SCC 129, the University had
considered the case of the petitioner and his service was absorbed
under Section 4 (1) 14 as teacher. Subsequently the University has
reviewed the order of absorption.



3. In view of the decision in CWJC No. 17670 of 2017, the order of review is declared as nullity and the writ petition is thus allowed.

4. The respondent University is directed to treat the petitioner as absorbed employee, restore his status of teacher and grand all consequential benefits within a period of four months .

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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