

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2422 of 2018

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(Dr.) Madhav Choudhary, son of Late Kusheshwar Choudhary, resident of
Village- Rudrapur, P.S.- Rudrapur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga through its Registrar.
4. Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
7. Principal M.L.S.M. College Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binodanand Mishra, Advocate

For the Respondent/s : Smt. Binita Singh, SC- 28

For the L.N.M.U. : Mr. Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 16-02-2018 Heard learned counsel for the petitioner and State as well as University.

Mr. Binodanand Mishra, learned counsel for the petitioner submits that in the matter of similarly circumstanced teacher of Patna University, this Court has occasion to examine the similar issue raised in the present writ application and this Court vide order dated 12.10.2010 passed in C.W.J.C. No. 5331 of 2010 has already adjudicated the issue. The principle discussed in the order dated 12.10.2010 is applicable in this case as well.



In view of the submissions advanced by the learned counsel for the petitioner, the writ application is disposed of with direction to the respondents to examine the case of the petitioner in the light of the decision of this Court dated 12.10.2010 passed in C.W.J.C. No. 5331 of 2010 and if the case of the petitioner is covered by the order passed in C.W.J.C. No. 5331 of 2010, similarly benefit should be extended to this petitioner, in case, it is distinguishable on facts and law, the respondents are required to pass reasoned and speaking order. The final decision in this regard must be taken by the respondents within a maximum period of four months from the date of receipt/production of a copy of this order.

It is made clear that this Court has not expressed any opinion on the merit of the case. It is for the respondents to examine the case and pass final order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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