

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.18072 of 2017**

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Dr. Ram Deo Singh @ Sri Ram Deo Singh, S/o Late Ram Bhajan Singh, Retired Lecturer in the Department of Philosophy, Ram Lakhan Singh Yadav, College, Aurangabad, P.S. + District- Aurangabad, presently residing at Village- Bisari Khurda, P.S.- Nasriganj, District- Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Higher Education, Govt. of Bihar, Patna.
3. The Magadh University, Bodh Gaya through its Registrar.
4. The Vice Chancellor, Magadh University, Bodh Gaya at Bodh Gaya.
5. The Registrar, Magadh University, Bodh Gaya at Bodh Gaya.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Kumar, Advocate

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

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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 service was 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 four 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/-

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| AFR/NAFR          | NAFR       |
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