

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.228 of 2018

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Sachchida Nand Choudhary, S/o Sri Nilamber Choudhary, resident of Village- Nehra, P.S.- Manigachi, District- Darbhanga at present working as Lecturer, Department of Mathematics, Maharaja Lakshmeshwar Singh College, Darbhanga, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
3. The Director, Higher Education, Bihar, Patna.
4. The L.N. Mithila University through its Registrar, P.S.- Kotwali, District- Darbhanga.
5. The Vice Chancellor, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
6. The Registrar, L.N, Mithila University, Kameshwar Nagar, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 18-07-2018

Heard learned counsel for the petitioner, State and the University.

Learned counsel for the petitioner submits that the name of the petitioner was not incorporated in letter no. 181(C). Against the omission of his name, the petitioner made complaint and thereafter correction was made and the case of petitioner was considered for absorption by the University in the light of the decision 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 petitioner was absorbed vide notification dated 09.07.2005 and he was paid regular salary. The said decision was subsequently reviewed by the University.

In view of the decision passed in C.W.J.C. No. 17670 of 2017 reviewing the absorption is hereby declared as nullity. The respondents are directed to restore these petitioners in the status of absorbed employee with all consequential benefits.

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

With the aforesaid, the writ applications stand disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.07.2018
Transmission Date	

