

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17768 of 2017

=====

Ram Ratan Prasad, S/o Sri Raghunandan Prasad, working as Lab boy in Department of Zoology, Ram Lakhan Singh Yadav College, Aurangabad, P.S. + District- Aurangabad.

.... 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

=====

Appearance :

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

For the Respondent/s : Mr. Kameshwar Kumar, GP-17

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 18-07-2018

Heard learned counsel for the petitioner and State as well as University.

In view of the decision of the State Government in relation to sanction of post and absorption of the employee in the colleges made constituent by the way of letter no. 38(c) dated 01.02.1988 and after 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 petitioner was absorbed in the services of University.

In view of the decision in C.W.J.C. 17670 of 2017, the writ petition is allowed. The respondents are directed to restore the



petitioner the status of absorbed employee and reviewing the order of absorption is hereby declared as nullity. The respondents are directed to grant all consequential benefits to the petitioner within a period of four months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	4.08.2018
Transmission Date	

