

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8261 of 2018**

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Muneshwar Prasad, Son of Late Buddhu Rai, Resident of Village- Saidpur  
Totla, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Director of Higher Education, Bihar, Patna.
2. Magadh University, Bodh Gaya, through its Vice Chancellor of Magadh University Bodh Gaya.
3. The Vice Chancellor of Magadh University Bodh Gaya.
4. The Registrar, of Magadh University Bodh Gaya.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra  
For the Respondent/s : Mr. Kameshwar Kumar-Gp17

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

4      06-08-2018                      Considering the fact that C.W.J.C. No. 17670 of 2017 was disposed of vide order dated 17.7.2018 the present writ application is also disposed of in the light of C.W.J.C. No. 17670 of 2017 as petitioner in this case was also appointed initially as non-teaching employee in the erstwhile affiliated college which was made constituent in fourth phase and after 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**, the case of the petitioner was considered by the University for absorption in terms of Section 4(1)(14) of the Bihar State Universities Act and thereafter at the dictate of the State Government, the University reviewed the decision of absorption.



Considering the judgment in C.W.J.C. No. 17670 of 2017 the order of reviewing the notification of absorption of the petitioner is declared nullity, the respondents are directed to restore the petitioner the status of absorbed non-teaching employee with all consequential benefits.

Final decision as to consequential benefit must be taken by the University within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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