

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5356 of 2018

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Ram Bilas Mahto, S/o Sri Bandhu Mahto, Resident of Village- Kapan, P.O.- Kapan, P.S.- Bibhutipur, District- Samastipur, at present Lecturer in Department of Zoology in R.K.D. College, Patna.

... .. Petitioner/s

Versus

1. The Magadh University, through its Registrar Magadh University, Bodh Gaya, Distt.- Gaya.
2. The Vice-Chancellor Magadh University, Bodh Gaya, Distt.- Gaya.
3. The Registrar, Magadh University, Bodh Gaya.
4. The Principal Secretary to the Government Department of Higher Education Government of Bihar, Patna.
5. The Principal Secretary to the Government Department of Finance, Government of Bihar, Patna.
6. The Principal R.K.D. College Lohianagar, Kankarbagh, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar
For the Respondent/s : Mr. Smt. Shilpa Singh -Ga12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 19-07-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State as well as University.

2. Mr. Shashi Bhushan Kumar, learned counsel appearing on behalf of the petitioner submits that in terms of the judgment of Apex Court in State of Bihar Vs. Bihar Rajya MSESKE Mahasangh: (2005) 9 SCC 129, the University had considered the case of the petitioner and his service was absorbed under Section 4 (1) (14) as teacher. Subsequently the University has reviewed the order of absorption.



3. In view of the decision in CWJC No. 17670 of 2017, the order of review is declared as nullity and the writ petition is thus allowed.

4. The respondent University is directed to treat the petitioner as absorbed employee, restore his status of teacher and grand all consequential benefits within a period of four months .

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
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