

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4977 of 2019

1. Dr. Arbind Panjiara S/o Late Ishwari Panjiara Deptt. of English, T.N.B. Law College, District- Bhagalpur
2. Dr. Shailendra Narayan S/o Late Surendra Narayan, T.N.B. Law College, Bhagalpur
3. Dr. Reeta Sinha D/o Late Satyendra Kumar Sinha, S.M. College, Bhagalpur
4. Dr. Saroj Sinha W/o Sri Prabhat Chandra Sinha Surya Bhawan, Chhoti Khanjarpur, Bhagalpur

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University, Bhagalpur, through it Registrar
2. The Vice Chancellor, T M Bhagalpur University, District- Bhagalpur
3. The Registrar, T M Bhagalpur University, District- Bhagalpur
4. The Finance Officer, T M Bhagalpur University, District- Bhagalpur
5. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
6. The Director, Higher Education, Deptt. of Education, Govt. of Bihar, Patna
7. The Authorised Officer, Pay Verification Cell, Department of Education, Govt. of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Advocate
For the State	:	Mr. Kameshwar Kumar, G.P. 17
For the University	:	Mr. Ashhar Mustafa, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-06-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State as well as counsel appearing for the University.

The grievance of the petitioner in the present case is against the shifting the date for the purpose of seniority and promotion.

Referring to Annexure 1 to the writ application,



learned counsel for the petitioner submits that Justice S.C. Agrawal Commission has determined the date of eligibility and appointment of petitioner as 14.09.1984, ignoring the report of Justice S.C. Agrawal Commission which was approved by the Apex Court in the case of State of Bihar & Ors. Vs. Bihar Rajya M.S.E.S.K.K. Mahasangh & ors., 2005(1)PLJR 464(SC).

Learned counsel for the petitioner submits that in view of the above, the respondents University as well as the State have no business to tinker with the report of Justice S.C. Agrawal Commission which has been approved by the Apex Court in the case of Mahasangh (supra).

Considering the report of Justice S.C. Agrawal Commission which was approved by the Apex Court in the case of Mahasangh (supra), the present writ application is allowed. The respondents are directed to rectify the date of initial appointment of Petitioner No. 1 (English subject) as 14.09.1984, Petitioner No. 2 (History subject) as 26.08.1984, Petitioner No. 3 (Economics subject) as 26.08.1984, and Petitioner No. 4 (Sociology subject) as 26.08.1984 and grant consequential benefits. They are further directed to rectify their mistake and grant the benefit of counting of service with effect from the date mentioned in the report of Justice S.C. Agrawal Commission



which was approved by the Apex Court in the case of Mahasangh (supra) and take appropriate corrective decision granting promotion as Reader and Professor with consequential benefits.

With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

spandey/uma/-

U			
---	--	--	--

