

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13138 of 2019

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Siya Sharan Sharma S/o Late Satya Narayan Sharma, R/o - Sita Sadan, South Daulatpur Road, Rajabazar, P.O. and P.S. and District- Jehanabad, presently working on the post of Reader, Department of Botany in S.S. College, Jehanabad.

... .. Petitioner/s

Versus

1. The Magadh University, Bodh Gaya, Through it Registrar.
2. The Vice Chancellor, Magadh University, Bodh Gaya District- Gaya,
3. The Registrar, Magadh University, Bodh Gaya District- Gaya.
4. The Finance Officer, Magadh University, Bodh Gaya, District- Gaya.
5. The Principal, S.S. College, Jehanabad,
6. The State of Bihar Through the Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
7. The Director, Higher Education, Deptt. of Education, Govt. of Bihar, Patna.
8. The Authorised Officer, Pay Verification Cell, Department of Education, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Adv.
For the State	:	Mr. Hitesh Suman, AC to SC-13
For the University	:	Mr. Nirmal Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner has filed the present writ application for shifting the date of his absorption w.e.f. 28.06.1983 instead of 21.02.1985.

Learned counsel for the petitioner submits that Justice S.C. Agrawal commission has noted the entitlement of absorption the petitioner w.e.f. 28.06.1983. The aforesaid report of justice S.C. Agrawal has attained finality as the Apex Court



has accepted the report in the case of *State of Bihar Vs. Mahasangh reported in (2005) 9 SCC 129.*

In view of the above, the respondents are directed to treat the date of absorption of the petitioner w.e.f. 28.06.1983. Petitioner was granted merit promotion counting his date of entry is 21.02.1985 since the petitioner is entitled to absorption w.e.f. 28.06.1983. He is covered by the time bound promotino scheme on completion of 10 years.

Considering the aforesaid, respondents are directed to rectify the date of absorption of the petitioner and grant all consequential benefits accordingly. In the event, petitioner files representation for consideration of his case for time bound promotion the respondents shall consider the case of the petitioner for time bound promotion at the earliest preferably within a period of four months from the date of receipt/production of copy of this order and grant all consequential benefits within a period of four months.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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