

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13144 of 2019

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Ramesh Jha S/o Shri Fani Pati Jha Vill. and P.o.- Lohana, P.s.- Bhairab
Asthan, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The Principal Secretary Education Department, Govt. of Bihar, Patna
3. The Principal Secretary Finance Department, Govt. of Bihar, Patna
4. Lalit Narayan Mithila University (in short LNMU) Darbhanga through its
Registrar
5. The Vice Chancellor LNMU, Darbhanga
6. The Registrar LNMU, Darbhanga
7. The Finance Officer LNMU, Darbhanga
8. The Principal Maharaja Laxmishwar Singh Memorial College, Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar Jha
For the Respondent/s	:	Smt.Binita Singh (Sc28)
For LNMU	:	Mr. Nadim Seraj

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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 is aggrieved by the decision of the
University contained in Annexure-2.

It appears that pursuant to the report of the Justice
S.B. Sinha Commission and the order of the Apex Court
accepting report of Justice S.B. Sinha notification was issued



by the respondent University with regard to absorption of 14 non-teaching employee in MLSM College, Darbhanga.

Learned counsel appearing on behalf of the petitioner would submit that while accepting report of Justice S.B. Sinha, the Hon'ble Supreme Court has granted liberty to those who are aggrieved to approach the High Court. After the order of the Apex Court, the issue was examined by this Court at length in **Akhilanand Singh & Ors. case reported in (PLJR) 3 2018 pg. 1029** , this Court while taking note of the judgment of the **State of Bihar & Ors. Vs. Bihar Rajya M.S.E.S.K.K. Mahasangh & Ors. reported in (2005) 9 SCC 129**, and on consideration of the fact that name of the non-teaching employee whose name figures in the State Governments letter no. 25(c) dated 19.2.1990 deserve absorption. The petitioner has categorically made statement that name of the petitioner figures in letter of the State Government contained in letter no. 25(c) dated 19.2.1990.

Considering the aforesaid, the writ petition is disposed of in the light of the decision in Akhilanand Singh case (supra) and respondents are directed to consider the case of the petitioner for absorption.

Necessary decision with regard to absorption of the



petitioner may be taken by the respondents within a maximum 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)

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