

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16574 of 2019

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Vivekanand Choudhary, S/o Sri Sadanand Choudhary, Resident of Ranipur,
P.S.- Keoti Ranway, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Human Resources Development,
Govt. of Bihar, Patna
3. Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga through its
Registrar
4. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
5. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binodanand Mishra
For the Respondent/s	:	Mr. Pramod Kumar Singh, AC to SC-16
For the LNMU	:	Mr. Nadim Seraj

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioner and the
respondents.

The petitioner was absorbed pursuant to tripartite agreement between the State Government, University and the employees association. The University thereafter took the decision to review its previous decision.

Similar issue was decided by this Court in C.W.J.C. No. 16835 of 2014 wherein the Court has directed the absorption in the light of tripartite agreement and also in the light of the judgment of the Apex Court in the case of the **State**



of Bihar & Anr. Vs. Sunny Prakash & Ors., reported in **(2013) 3 SCC 559**, wherein it has been held out that the bipartite agreement has binding effect.

Considering the aforesaid, the writ application is disposed of with a direction to the respondent University to take appropriate decision in the light of order dated 18.09.2018 passed in C.W.J.C. No. 16835 of 2014 at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

It is made clear that once the petitioner was absorbed in the service of the University vide Annexure-4, the University has no statutory power to review the same.

(Anil Kumar Upadhyay, J)

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