

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3047 of 2020

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Nageshwar Singh, Son of Late Doman Singh, Resident of Village and Post
Office- Mangalpur Gudaria, Police Station- Nautan, District- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Secretary, Higher Education Department, Government of Bihar, Patna
3. The B.R. Ambedkar Bihar University, the B.R. Ambedkar Bihar University,
Muzaffarpur through its Registrar
4. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur
5. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur
6. The Principal, S.N.S. College, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Tiwari, Advocate
For the Respondent/s	:	Mr.Amit Bhushan, AC to GP-17
For the University	:	Mr.Anil Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and the
respondents.

The petitioner has approached this Court for a
direction to the respondents to consider his case for
regularization.

Learned counsel for the petitioner submits that
similar issue was considered by this Court in C.W.J.C. No. 7826
of 2012 vide oral judgment dated 03.07.2018. He further
submits that in that case, the Court has occasion to consider the
guide line contained in letter no.1820 dated 17.11.1998 and the



judgment of the Apex Court in the case of **State of Punjab Vs. Jagit Singh**, reported in **(2017) 1 SCC 148**. In addition thereto, there is judgment of the Apex Court in the case of **Amarkant Rai v State of Bihar and others**, reported in **(2015) 8 SCC 265**.

Considering the aforesaid, the writ petition is disposed of with a direction to the respondents to examine the claim of the petitioner and if it is found that the petitioner has continuously worked, then his case may be considered at the touch stone of the judgment of **Amarkant Rai** (supra).

In the event, if it is found that the petitioner has not worked, the respondents are free to take appropriate decision, if the facts are distinguishable from the case of **Amarkant Rai** (supra).

Necessary decision in this regard must be taken by the respondents within a maximum period of four months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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