

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18447 of 2017

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Murli Singh Son of Late Bachho Lal Singh, Resident of Village- Derhgawan,
P.O.- Jalapur East, P.S.- Dheena, District- Chandauli Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar,
Patna. null null
3. The Vice-Chancellor, Veer Kunwar Singh University, Ara.
4. The Registrar, Veer Kunwar Singh University, Ara.
5. The Principal, Gram Bharati College, Ramgarh, District- Kaimur Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate
For the Respondent/s : Mr.Jitendra Kumar Roy No-1 -SC-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-02-2020 The grievance of the petitioner in the present writ

petition for grant of A.C.P/M.A.C.P after granting benefit of

revised pay scale and consequential benefits in the pay scale of

store-keeper.

Learned counsel for the petitioner submits that the

college in question was made constituent in 4th phase. The

dispute with regard to the absorption of teaching and non-

teaching employee has been settled by the Apex Court in the

case reported in 2005 9 SCC 129 by accepting the report of

Justice S.C. Agrawal (Retd.) Commission in toto.

Learned counsel for the petitioner submits that the



Justice S.C Agrawal (Retd.) Commission has noted the entitlement of the petitioner for absorption on the post of store-keeper and the report of Justice Agrawal (Retd.) Commission has been approved in toto by the Apex Court and as such the report of Justice Agrawal Commission is binding on the State as well as the University.

Referring to Annexure-1 learned counsel submits that the petitioner's case was considered by the University in the light of the report of Justice S.C Agrawal (Retd.) Commission and the Syndicate of the university has also accepted the same on 10.08.2011 and decided to grant benefit of store-keeper in the light of the report of the Justice S.C Agrawal (Retd.) Commission. Similar was the stand of the respondent University as would be evident from Annexure-4 dated 21.04.2017. Unfortunately, the respondent University took different stand vide Annexure-2 that decision was taken by the order of the Vice-Chancellor where the earlier decision was taken in the meeting of the Syndicate the Apex Executive Body of the University.

Considering the Annexures-1 and 4 the writ petition is disposed of with a direction to the respondents to take appropriate corrective measures for recognizing the service of



the petitioner in terms of Annexures-1 and 4 and grant consequential benefit to the petitioner within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, this writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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