

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5264 of 2020

Prof. Jai Narayan Tiwari, Son of Late Santoshi Tiwari, resident of village and P.O. Kulharia, P.S. Parbatta, District- Khagaria at present residing at Pharmaceutical Colony, Jai Prakash Nagar, Bhut Nath Road, P.S. Agamkuan, District and Township of Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Higher Education Department, Government of Bihar, Patna.
3. The Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar, University, Muzaffarpur.
4. The Registrar, Baba Saheb Bhim Rao Ambekdar Bihar University, Muzaffarpur.
5. The Vice Chancellor, Jai Prakash University, Chapara.
6. The Registrar, Jai Prakash University, Chapra.
7. The Principal, P.N. College, Parsa, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Respondent/s : Smt. Shilpa Singh (Ga12)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-09-2020 Heard learned counsel for the petitioner, State and the University.

The solitary grievance of the petitioner in the present writ application is that the respondents while calculating the entitlement of the petitioner has counted his service from 01.06.1970, instead of 27.07.1968 when the petitioner joined the post.

Learned counsel for the petitioner submits that



Annexure-6 does not carry any reason for refusal to count service of the petitioner from 27.07.1968 or September, 1969 from the date deduction of provident fund started.

Considering the aforesaid, the writ application is disposed of with a direction to the respondent University to provide opportunity of hearing to the petitioner notwithstanding the Annexure-6 and pass fresh order in the light of the relevant Rules applicable for determination of the length of service.

Necessary decision 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 after opportunity of hearing to the petitioner and if it is found that the petitioner has completed 33 years of service, he shall be granted all the consequential benefits within the time frame indicated hereinabove.

It is made clear that Annexure-6 shall not operate until fresh final order is passed by the respondents.

(Anil Kumar Upadhyay, J)

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