

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.956 of 2021

1. Dr. Pushkar Kumar Jha son of Ramanand Jha resident of Jaishree Cassette Company, Katahalbari, P.S.- L.N.M.U. Campus, District- Darbhanga.
2. Dr. Subodh Kumar Singh son of Late Yugal Kishor Singh resident of village- Maksudpur, P.O. and P.S.- Hayaghat, District- Darbhanga.
3. Dr. Abhay Kumar Pathak son of Late Dinesh Pathak resident of mohalla- Katahalbari, P.S.- L.N.M.U. Campus, District- Darbhanga.
4. Dr. Kailash Kumar Choudhary son of Radha Sharan Choudhary resident of mohalla- Bela Dullah, Lalbagh, P.S.- L.N.M.U. Campus, District- Darbhanga.
5. Dr. Santosh Kumar Singh son of Rajendra Prasad Singh resident of mohalla- Mogalpur, Lalbagh, P.S.- Laheriasarai, District- Darbhanga.
6. Dr. Chandan Kumar Choudhary son of Late Jaikishore Choudhary resident of 17/10, G.M. Road, Rajkumarganj, P.S.- Town P.S., District- Darbhanga.
7. Dr. Kumari Soni wife of Kailash Kumar Choudhary resident of Bela Dullah, Lalbagh, P.S.- L.N.M.U. Campus, District- Darbhanga.
8. Dr. Sudhir Kumar Mishra son of Late Umakant Mishra resident of mohalla- Mirzapur, P.S.- Town thana, District- Darbhanga.
9. Dr. Shailendra Kumar Thakur son of Late S.N. Thakur resident of mohalla- Gandhinagar Katarahia, P.O.- Laxmisagar, P.S.- Sadar, District- Darbhanga.
10. Dr. Md. Monauwar Alam son of Md. Jasimuddin resident of mohalla- Maharaj Ganj, P.O. and P.S.- Laheriasarai, District- Darbhanga.
11. Dr. Nilmani Kumar Jha son of N. N. Jha resident of village and P.O.- Rarhi, via and P.S.- Jale, District- Darbhanga.
12. Dr. Diwakar Nath Jha son of Narayan Jha resident of village- Manora, P.O.- Milkichak, P.S.- Bahadurpur, District- Darbhanga.
13. Dr. Reeta Kumari daughter of Parmeshwar Prasad resident of mohalla- Abhanda (New Colony), Ekmi, P.O. and P.S.- Laheriasarai, District- Darbhanga.
14. Dr. Geetanjali Choudhary wife of Rana Brajesh resident of near pokhar masjid, P.O.- Lalbagh, P.S.- Town thana, District- Darbhanga.
15. Dr. Dinesh Kumar son of Mahanthi Lal Yadav resident of village- Sishwa, P.O.- Mouzampatti, P.S.- Barhara Kothi, District- Purnea.
16. Dr. Pranav Kumar Choudhary son of Uttaneshwar Choudhary resident of village- Ranipur, P.O.- Sunderpur, P.S.- Darbhanga Sadar, District- Darbhanga.
17. Dr. Arun Kumar son of Shankar Prasad resident of mohalla- Rahamganj, P.O.- Lalbagh, P.S.- Darbhanga Sadar, District- Darbhanga.
18. Dr. Amit Kumar Jha son of Late Radha Kant Jha resident of M- 10, Housing Board Colony, P.S.- Laheriasarai, District- Darbhanga.
19. Md. Jahid son of Md. Samshul Haque resident of village and P.O.- Dumari, P.S.- Mushahari, District- Muzaffarpur.



20. Dr. Rekha Sarraf wife of Bhola Prasad resident of Garib Sthan Road, P.O.- H.P.O. Muzaffarpur, P.S.- Mithanpura, District- Muzaffarpur.
21. Dr. Md. Kausar Ali son of Abdul Shakur resident of village- Narsanda, P.O.- Kanti, P.S.- Kanti, District- Muzaffarpur.
22. Dr. Ajay Kumar son of Khakhan Paswan resident of village- Jagdish Kamtaul, P.O.- Anant Kamtaul, P.S.- Kurhani, District- Muzaffarpur.
23. Dr. Bandana wife of Himanshu Kumar resident of village- Gorla Kothi, P.S.- Gorla Kothi, District- Siwan.
24. Arti Kumari wife of Vijay Kumar resident of Dr. A.M. Das Gali, Brahmapura, P.O.- M.I.T., P.S.- Brahmapura, District- Muzaffarpur.
25. Dr. Anjani Kumar Choudhary son of Surendra Choudhary resident of mohalla- Naya Ganga Sagar, near Marwari College, P.O.- Lalbagh, P.S.- Town thana, District- Darbhanga.
26. Dr. Vinod Kumar son of Jeevachh Sahu resident of village and P.O.- Marukiya, Via- Khajauli, P.S.- Khajauli, District- Madhubani.
27. Dr. Sweta Shashi daughter of Rabindra Kumar Jha resident of village- Raghepura, P.O. and P.S.- Bahadurpur, District- Darbhanga.
28. Kumari Priyanka daughter of Harendra Kumar resident of mohalla- Pankha Toli, Sonu Traders (Balu cement shop), P.O.- Ramna, P.S.- Kazi Mohammadpur, District- Muzaffarpur.
29. Sangeet Mallik son of Ram Kumar Mallik resident of village- Amta, P.O.- Dahat Narayan, P.S.- Baheri, District- Darbhanga.
30. Dr. Ranvijay Kumar son of Madan Lal Sah resident of village- Kushaha, P.O.- Jale, P.S.- Bhawanipur, District- Purnea.
31. Dr. Surendra Yadav son of Jamindar Yadav resident of village- Gotahi, P.O.- Atahar, P.S.- Bahadurpur, District- Darbhanga.
32. Dr. Gopal Chandra Thakur Prakash son of Durga Nath Thakur resident of Shri 108 Shri Lakshmishwari Tara Mandir, P.S.- L.N.M.U. Campus, District- Darbhanga.
33. Dr. Raman Kumar Rajesh son of Jiya Lal Yadav resident of village- Kiratpur, P.S.- Alinagar, District- Darbhanga.
34. Dr. Ajay Kumar Thakur son of Ram Bilash Thakur resident of mohalla- Mogalpur, P.O.- Lalbagh, P.S.- Laheriasarai, District- Darbhanga.
35. Dr. Lilawati Kumari daughter of Daroga Singh resident of village- Uchitpur, P.O.- Muradabad, P.S.- Sasaram, District- Rohtas.
36. Dr. Meenaxi Das daughter of Nityanand Das resident of mohalla- Belwaganj, Andheribagh, Care of K.K. Sinha, P.S.- Laheriasarai, District- Darbhanga.
37. Dr. Rajesh Kumar Yadav son of Ramjee Yadav resident of village- Chhanvi, P.O.- Sultanpur, P.S.- Sarnath, District- Varanashi (U.P.).
38. Dr. Jay Prakash Jha son of Narayan Jha resident of village- Basant, P.O.- Kharka, P.S.- Jalley, District- Darbhanga.
39. Sadique Iqbal son of Zafar Iqbal resident of mohalla- Saidullahpur, P.S.- Bisfi, District- Madhubani.



40. Dr. Md. Tariqur Rahman son of Md. Quaidar Rahman resident of mohalla- Lalbagh, Near C.M. Science College, P.S.- Town thana, District- Darbhanga.
41. Dr. Farida Khatoon wife of Md. Faiz Ahmad Ansari resident of mohalla- Lalbagh, Near C.M. Science College, P.S.- Town thana, District- Darbhanga.
42. Dr. Soni Kumari daughter of Nagendra Jha resident of mohalla- Indira Colony, Alalpatti, P.S.- Bahadurpur, District- Darbhanga.
43. Amar Kumar son of Siyaram Prasad resident of village- Chhatarwar, P.S.- Pakaribarawan, District- Nawada.
44. Dr. Dhanbir Prasad son of Late Deo Narayan Yadav resident of village, P.O. and P.S.- Phulparas, District Madhubani.
45. Dr. Ratan Kumari wife of Vikash Kumar Jha resident of village and P.O.- Ghoghardiha, Ward No.- 10, P.S.- Ghoghadiha, District- Madhubani.
46. Shree Ram Sah son of Keduli Sah resident of village- Rajpur, Rajepur, District- Sitamarhi.
47. Dr. Sanjay Kumar Hazara son of Shiv Puzan Hazara resident of village and P.O.- Ratanmala, Ward No. 10, P.S.- Majhowlia, District- West Champaran.
48. Dr. Pradeep Kumar son of Late Hari Prasad resident of mohalla- Bakarganj, P.S.- Laheriasarai, District- Darbhanga.
49. Md. Zoha Siddiqui son of Late Aminul Haque Siddiqui resident of village- Baika, P.S.- Shakatpur, District- Darbhanga.
50. Wasi Ahmad Shamshad son of Md. Shafique Ahmad resident of mohalla- Rajtoli (Bhigo), P.O.- Lalbagh, P.S.- Laheriasarai, District- Darbhanga.
51. Dr. Ismat Jahan wife of Jawed Akhtar resident of village and P.O.- Asraha, P.S.- Keoti Ranway, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Higher Education, Govt. of Bihar, Patna.
4. The Bihar State Universities Service Commission through its Chairman, Patna.
5. The Chairman, Bihar State Universities Service Commission, Patna.
6. The Honble Governor-cum- Chancellor of the Universities of Bihar, Governor s Secretariat, Raj Bhawan, Patna.
7. The Principal Secretary to the Honble Governor-cum- Chancellor of the Universities of Bihar, Governor s Secretariate, Raj Bhavan, Patna.
8. The Lalit Narayan Mithila University through its Registrar, Kameshwar Nagar, Darbhanga.
9. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
10. The University Grant Commission through its Secretary, Bahadur Shah Jafar Marg, New Delhi- 110002.



11. The Secretary, University Grant Commission, Bahadur Shah Jafar Marg, New Delhi- 110002.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Jha, Adv.
For the Respondent-State: Mr. Vivek Anand, AC to SC-28
For the Respondent- University: Mr. Nadim Seraj, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-03-2021 The present writ petition has been filed seeking the following reliefs:-

(I) For issuance of appropriate writ/s, direction/s and order/s in the nature of “mandamus” directing the concerned respondents to consider and to take final decision within a prescribed time on the last representation dated 15/16.09.2020 (Annexure-4) of the petitioners for regularising/ absorption of their services on the sanctioned post of Asstt. Professor(Teacher) on which they were duly appointed/ contractually engaged against the vacant & sanctioned posts of Asstt. Prfessor as Guest/ Part time Teachers purely on the basis of merit following entire process/ norms as prescribed for recruitment/ selection of permanent Asstt. Professor under the mandatory guidelines/ regulations of University Grant Commission (hereinafter referred to as “the U.G.C.”) & following reservation policy of State Government vide advertisement no. PTT-01/2018 dated 01.07.2018 (Annexure-2) publicly issued and published on its



website and print media i.e. widely circulated at national level under the signature of Registrar, L.N.M.U., Darbhanga.

(ii) For issuance of appropriate writ/s, direction/s and order/s in the nature of “Mandamus” for commanding/directing the concerned respondents/ authorities not to disturb the petitioners from discharging their respective duties as Guest/ part time Asstt. Professor (Teacher) in their respective Colleges/ University Departments or not to recruit/ appoint any one afresh against the post on which petitioners are duly appointed and working, till their services are duly considered and regularised/ absorbed by the competent State- authorities including the University Selection Committee headed by the Vice Chancellor of L.N.M.U., Darbhanga as per law.

(iii) For issuance of appropriate writ/s, direction/s and order/s in the nature of “Mandamus” for commanding/ directing the concerned respondents/ authorities to pay the arrear of honorarium with interest for delayed period and current revised honorarium under the U.G.C. guideline with effect from 28.1.2019 vide letter no. F.25-1/2018(PS/Misc.) dated 28.1.2019 (Annexure-3) issued under signature of Secretary- Rajnish Jain, U.G.C., New Delhi addressed to the Registrar of all the Universities and other concerned authorities to pay the revised



enhanced honorarium at the rate of Rs. 1500/- per lecture and maximum of Rs. 50,000/- per month (instead of existing old rate of honorarium Rs. 1000/- per lecture and maximum Rs. 25,000/- per month) to the petitioners w.e.f. 28.1.2019 under legal obligation for justice.

At the outset, the learned counsel for the petitioners seeks liberty to approach the Vice-Chancellor of the Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga for redressal of their aforesaid grievances.

Accordingly, the present writ petition stands disposed of with liberty to the petitioners to file appropriate representation before the Vice-Chancellor of the Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga within a period of four weeks from today, whereupon the Vice-Chancellor of the Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga shall consider the same in accordance with law and pass appropriate orders within a period of twelve weeks, thereafter.

(Mohit Kumar Shah, J)

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