

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21181 of 2018

=====

Nityanand Singh Son of Ayodhya Prasad Singh Resident of Village-Dogachhi,
P.O.-Tarat, Police Station-Tarat Ghogha, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar,
New Secretariat Building, Bailey Road, Patna.
3. The T.M. Bhagalpur University, Bhagalpur through its Registrar.
4. The Vice Chancellor, T.M. Bhagalpur University, Bhagalpur.
5. The Registrar, T.M. Bhagalpur University, Bhagalpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ajay Ku mar Sinha, Sr. Advocate Mr.Subhash Chandra Jha, Advocate
For the State	:	Mr.Prabhakar Jha, GP-27 Mr.Mukund Mohan Jha, AC to GP-27
For the University	:	Mr. Anand Kumar Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

12 20-06-2022

The present writ petition has been filed to treat the petitioner as a regular Class-IV employee (Ward Servant/Darwaan) of the P.G. Boys Hostel of T.M. Bhagalpur University, Bhagalpur, with effect from 01.03.1987 instead of 01.12.2008 and pay the retiral dues accordingly.

The learned senior counsel for the petitioner has submitted that the case of the petitioner is squarely covered by a judgment rendered by the learned Division Bench reported in *1997(1) PLJR 507 (Jwala Prasad vs. The T.M. Bhagalpur University, Bhagalpur & Ors.)*, hence it is prayed that the case of the petitioner be directed to be considered by the respondent University authorities in light of the said judgment.

Per contra, the learned counsel for the respondent University Shri Anand Kumar Singh has submitted that the case of



the petitioner shall be processed by the respondent authorities and in case it is found that the case of the petitioner is covered by the judgment rendered by the learned Division Bench in the case of Jwala Prasad Singh (supra), appropriate relief shall be granted to the petitioner herein.

Having regard to the facts and circumstances of the case, the petitioner is granted liberty to approach the Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur by filing appropriate representation, annexing copies of the judgment being relied upon, whereupon the learned Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur shall pass a reasoned and a speaking order in accordance with law within a period of eight weeks.

It is needless to state that in case the case of the petitioner, regarding absorption from an earlier date, as against the date from which he has been absorbed i.e. 01.12.2008, finds favour with the respondent authorities, consequential benefits shall also be paid forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

