

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2366 of 2023

Shiv Kumari Wife of Late Gajendra Kumar Resident of House No. 55, Koat Bazar (Ward 14), Chakmahila, P.S.- Dumra, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Bihar, Patna.
2. Principal Secretary, Education Department, Bihar, Patna.
3. Director, Higher Education, Bihar, Patna.
4. Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
5. Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
6. Principal, Ram Sewak Singh Mahila College, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Harshvardhan Shivsundaram, Advocate.
For the State	:	Ms. Meera Singh, AC to GP-23.
For the University	:	Mr. Indrajeet Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 12-07-2023

Heard Mr. Harshvardhan Shivsundaram, learned counsel appearing on behalf of the petitioner; Ms. Meera Singh, learned AC to GP-23 for the State and Mr. Indrajeet Kumar, learned counsel for the University.

2. The petitioner has filed the present writ application for the following reliefs:

“That by filing this application the petitioner seeks kind indulgence of this Hon’ble Court for issuance of appropriate direction, order or writ in the nature of Mandamus commanding the respondents to make payment of death-cum-retirement benefits of husband of the petitioner namely late Gajendra Kumar after regularizing his service, who was working against the post of Assistant in Ram Sewak Singh Mahila College, Sitamarhi since



01.01.1980 and to make payment of other consequential benefits.

3. In spite of the fact that petitioner had made a detailed representation and has claimed that similarly situated employees of the College have been granted benefit of regularization and consequential benefits arising out of regular service, the grievance of the petitioner has not been redressed.

4. The Vice-Chancellor / Registrar of the University must furnish a detailed report with respect to the service of the husband of the petitioner before the Additional Chief Secretary, Education Department, Government of Bihar for examining the case of the husband of the petitioner late Gajendra Kumar who was regularly engaged on the sanctioned post of Assistant from the initial date of his engagement i.e. 01.01.1980 till his death in Ram Sewak Singh Mahila College, Sitamarhi which was affiliated to B.R.A. Bihar University, Muzaffarpur.

5. The Additional Chief Secretary, Education Department, Government of Bihar must abide by the constitutional mandate and see that if any employee similarly situated has been granted benefit of regularization and pay scale has been provided to them, the petitioner be also given the said benefit in accordance with law by disposing of the



representation of the petitioner, if any filed, within a period of six weeks from the date of receipt of this order.

6. Accordingly, the writ petition stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	13.07.2023
Transmission Date	N.A.

