

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3200 of 2023

1. Binod Sahni Son of Sahindra Sahni, Resident of village - Teja Dumri, P.O. Jaimal Dumri, P.S. - Paroo, District - Muzaffarpur, Presently working as a 4th Grade Daily Wager in Hostel, B.R.A. Bihar University, Muzaffarpur.
2. Triloki Mallik, Son of Mohan Mallik, Resident of village- Kurhani, Ward No. 7, P.O. and P.S. Kurhani, District - Muzaffarpur, presently working as a Sweeper, 4th Grade Daily Wager in Hostel, B.R.A. Bihar University, Muzaffarpur.
3. Jitendra Kumar, Son of Nandlal Raut, Resident of village- Pakari Ismail, P.O. Ladaura, P.S. Kudhani, District - Muzaffarpur, presently working as 4th Grade Daily Wager in B.R.A. Bihar University, Muzaffarpur.
4. Ashok Kumar Tiwari, Son of Suryanath Tiwari, resident of village - Bihsunpur, P.S. Udwant Nagar, District - Bhojpur at Ara, presently working as a 4th Grade Daily Wager in B.R.A. Bihar University, Muzaffarpur.
5. Ganesh Ray @ Ganesh Rai Son of Raghunath Ray, resident of Khabra Road, Sales Asthan, P.S. - Muzaffarpur Sadar, District - Muzaffarpur, presently working as a 4th Grade Daily Wager in Hostel in B.R.A. Bihar University, Muzaffarpur.
6. Baidhnath Sahani @ Baidyanath Sahni, Son of Mahaveer Sahni, resident of village - Gudhmi, P.O. Athar Kothi, P.S. Mushahari, District- Muzaffarpur, presently working as a 4th Grade Daily Wager in Hostel in B.R.A. Bihar University, Muzaffarpur.
7. Shiv Shankar Kumar, Son of Ram Dahin Ray, resident of village- Madapur, P.O. - Ladaura, P.S. - Kudhani, District - Muzaffarpur, presently working as a 4th Grade Daily Wager in Hostel in B.R.A. Bihar University, Muzaffarpur.
8. Mahendra Ram, son of Makai Mehtar, Resident of Aghoriya Bazar, Ward No. 30, P.O. Ramna, P.S. Kazi Mohammadpur, District - Muzaffarpur, presently working as a Sweeper, 4th Grade Daily Wager in Hostel in B.R.A. Bihar University, Muzaffarpur.
9. Meena Devi, Wife of Pradeep Ram, Resident of Mishra Tola, Gannipur, B.R.A.B.U. Press Campus, Post - Head Post Office, P.S. Kazi Mohammadpur, District - Muzaffarpur, presently working as a Sweeper, 4th Grade Daily Wager in B.R.A. Bihar University, Muzaffarpur.
10. Asha Devi, Wife of Surendra Das, Resident of village- Chhajan, P.O. Chhajan Harshankar, P.S. - Kudhani, District - Muzaffarpur, presently working as a 4th Grade Daily Wager in Hostel in B.R.A. Bihar University, Muzaffarpur.
11. Amrita Devi, Wife of Raju Paswan, Resident of near Gurudwara, Club Road, P.O. Ramna, P.S. Mithanpura, District - Muzaffarpur, presently working as a 4th Grade Daily Wager in Hostel in B.R.A. Bihar University, Muzaffarpur.
12. Gita Devi @ Geeta Devi, Wife of Bipin Bihari Singh, resident of village - Sardiha, Madhya Tola, P.S. Simri Bakhtiyarpur, District - Saharsa, presently working as a 4th Grade Daily Wager in Hostel in B.R.A Bihar University, Muzaffarpur.



... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur through the Registrar.
5. The Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
6. The Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
7. The Finance Officer, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Vijay Kumar Singh, Advocate Mr. Abhinav Shandilya, Advocate
For the State	:	Mr. Jai Prabhat Kishore, AC to SC- 13
For the University	:	Mr. Viveka Nand Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-09-2023 Heard learned counsel for the petitioners, learned
counsel for the Baba Saheb Bhim Rao Ambedkar Bihar
University and learned counsel for the State of Bihar.

2. The petitioners in the present writ application are
praying for the following reliefs:-

“(I) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities to regularize the services of the petitioners on the ground that the petitioners are working as a 4th Grade Employees in the Respondent University as daily wagers continuously since long and the services of similarly situated persons have already been regularized by the Respondent University



ignoring the better claim of the petitioners.

(II) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent University to grant consequential benefit of service counting the services of the petitioners from the date of their initial appointment.

(III) For issuance of any other appropriate writ/writs, order/orders direction/directions for which the writ petitioners would be entitled under the facts and circumstances of the case.”

3. Learned counsel for the parties are unanimous in saying that this writ application would be covered by the order dated 21.08.2023 passed by this Court in CWJC No. 3631 of 2023. They submit that this writ application may be disposed of in similar terms.

4. Having regard to the aforementioned submissions, this writ application is being disposed of in similar terms. The operative part of the order dated 21.08.2023 passed in CWJC No. 3631 of 2023 reads as under:-

“8. Having regard to the aforementioned submissions, this Court is disposing of the present writ application with a direction to the Vice-Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur (Respondent No. 5) to consider the representations of the petitioners as contained in Annexures ‘12’ and ‘12/1’ respectively and take an appropriate decision thereon within a



period of three months from the date of receipt/production of a copy of this order.

9. The observation made by this Court in paragraph '8' of its order dated 01.08.2023 passed in CWJC No. 2239 of 2023 shall equally apply in case of the petitioners.”

5. The aforementioned directions shall apply to the present case with only modification that in this case the representations of the petitioners are contained in Annexures '7', '7/1', '7/2' respectively.

6. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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