

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5321 of 2023

1. Virendra Raut @ Birendra Rout Son of Nand Lal Raut Resident of B.R.A. Bihar University, Guest House, Naya Tola, P.S. Kazi Mohammadpur, District- Muzaffarpur, presently working as a 4th Grade Daily Wager, B.R.A. Bihar University, Muzaffarpur.
2. Manoj Kumar Singh @ Manoj Kumar, Son of Nand Kishor Singh Resident of Village and P.O. Sarharava, P.S. Darauli, District- Section, presently working as a 4th Grade Daily Wager, Ph.D. Section B.R.A. Bihar University, Muzaffarpur.
3. Rajesh Kumar Singh, Son of Ramajit Singh Resident of Village- Madeshilapur, P.S. Andar, District- Siwan, presently working as a 4th Grade Daily Wager, B.R.A. Bihar University, Muzaffarpur.
4. Pappu Ram, Son of Jugeshwar Ram Resident of Ward No.- 30, Aghoriya Bazar, Near Water Ways, P.S. Kazi Mohammadpur, District- Muzaffarpur, presently working as a 4th Grade Daily Wager, B.R.A. Bihar University, Muzaffarpur.
5. Sunil Kumar Pran, Son of Bhola Ray Resident of Khabra Road, Homeless Chowk, P.S. Kazi Mohammadpur, District- Muzaffarpur, presently working as a 4th Grade Daily Wager, B.R.A. Bihar University, Muzaffarpur.
6. Binod Mallik @ Vinod Mallik, Son of Ramji Mallik Resident of Village- Chak Biswas, P.O.- Soyara, P.S. Dalsingsarai, District- Samastipur, presently working as a 4th Grade Daily Wager, B.R.A. Bihar University, Muzaffarpur.
7. Dinesh Kumar @ Dinesh Ram, Son of Mahendra Malik Resident of Ward No. 18, Malik Tola, Imamganj, Bhagwanpur, P.S. Muzaffarpur Town, District- Muzaffarpur, presently working as a 4th Grade Daily Wager, B.R.A. Bihar University, Muzaffarpur.
8. Rajesh Mallik, Son of Sitaram Mallik Resident of Village- Ramchandrapur, Ward No. 3, P.S.- Sarai Ranjan, District- Samastipur, presently working as a Sweeper, B.R.A. Bihar University, Muzaffarpur.
9. Shankar Mallik, Son of Mahendra Mallik Resident of Ward No. 18, Malik Tola, Imamganj, Bhagwanpur, P.S.- Muzaffarpur Town, District- Muzaffarpur, presently working as a Sweeper, B.R.A. Bihar University, Muzaffarpur.
10. Sindhu Devi, Son of Munna Ram Resident of Gannipur, Mishra Tola, P.O. Head Post Office, P.S. Kazi Mohammadpur, District- Muzaffarpur, presently working as a Sweeper, Hostel, B.R.A. Bihar University, Muzaffarpur.
11. Ramjee Malik, Son of Shakhichandra Mallik Resident of Village- Chak Vishwaspur, P.S. Dalsingsarai, District- Samastipur, presently working as a Sweeper, B.R.A. Bihar University, Muzaffarpur.
12. Manoj Kumar, Son of Janak Ram Resident of Vice Chancellor Office, B.R.A. Bihar University, Khabra, P.S. Kazi Mohammadpur, District- Muzaffarpur, presently working as a Sweeper, B.R.A. Bihar University, Muzaffarpur.
13. Ram Challitar Mallik, Son of Shakhichan Mallik Resident of Khabra Road, P.G.- 06, Bhikanpur Dih, P.S.- Kazi Mohammadpur, District- Muzaffarpur,



presently working as a Sweeper, B.R.A. Bihar University, Muzaffarpur.

14. Santosh Mallik, Son of Munsii Mallik Resident of Village- Matlapur, P.S. Piyar, District- Muzaffarpur, presently working as a 4th Grade Daily Wager, 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
For the State	:	Mr. Madhukar Mishra, AC to SC-16
For the University	:	Mr. Satyendra Narayan, 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 against the sanctioned and vacant posts 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 Annexure '6' to the writ application.

6. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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