

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13075 of 2007

Jawala Prasad Dwivedi, son of late Bibhuti Dwivedi at present posted as Principal, Janaki Sanskrit Mahavidyalaya, Narkatiaganj, District-West Champaran.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga, through its Registrar.
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The Governing Body, Janaki Sanskrit Mahavidyalaya, Narkatiaganj, District-West Champaran through its Secretary.
5. The State of Bihar through Secretary (Higher Education) Human Resources Development Department, New Secretariat, Patna.
6. The Chancellor of the Universities of Bihar, Raj Bhawan, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12574 of 2007

Dr.Shivendra Jha, son of late Yashashpati Jha, at present posted as Principal, Hathua Raj Gyanoday Sanskrit Mahavidyalaya, Mandiri, Patna.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga, through its Registrar.
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The Governing Body, Hathua Raj Gyanoday Sanskrit Mahavidyalaya, Mandiri, P.S.-Kotwali, District-Patna through its Secretary.
5. The Secretary, Hathua Raj Gyanoday Sanskrit Mahavidyalaya, Mandiri, P.S.-Kotwali, District-Patna.
6. The State of Bihar through Secretary (Higher Education) Human Resources Development Department, New Secretariat, Patna.
7. The Hon'ble Chancellor, KSD Sanskrit University, Raj Bhawan, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13285 of 2007

Ramapati Tiwari, son of late Jatashankar Tiwari at present posted as Lecturer on the post of M.A. in Modern Subject in Janki Sanskrit Mahavidyalaya, Narkatiaganj, P.S.-Narkatiaganj, District-West Champaran.

... .. Petitioner/s

Versus



1. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga, through its Registrar.
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The Governing Body, Janaki Sanskrit Mahavidyalaya, Narkatiaganj, District-West Champaran through its Secretary.
5. The State of Bihar through Secretary (Higher Education) Human Resources Development Department, New Secretariat, Patna.
6. The Hon'ble Chancellor, KSD Sanskrit University, Raj Bhawan, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14603 of 2007

Tripti Narayan Thakur, Son of late Jateshwar Thakur, Resident of Village-Balia, P.S.-Basnahi, District-Saharsa, at present Up-Shashtri College, Lecturer, Amilal Babua Sanskrit Up-Shastri College, Khara, Budhma, Uda, Kishanganj, District-Madhepura.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga, through its Registrar.
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. Principal, Amilal Babua Sanskrit Up-Shastri College, Khara, Budhma, Madhepura.
5. Director (Higher Education) Human Resources Development, Bihar, Patna.
6. The Hon'ble Chancellor, Universities of Bihar, Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8521 of 2009

Nawal Kishor Prasad Singh, son of late Jagdish Prasad Singh, resident of village-Deonagar Uchirma, P.S.-Sherghati, District-Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Secretary Department of Human Resources Government of Bihar, Patna.
2. The Special Secretary Department of Human Resources Government of Bihar, Patna.
3. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
5. The Management Committee of Deo Bharti Sanskrit Up Shashtry College through it's Secretary Deo Nagar Uchirma, P.S.-Sherghati, District-Gaya.



6. The Secretary of the Management Committee of Deo Nagar Sanskrit Up Shashtry College Deo Nagar Uchirma, P.S.-Sherghaty, District-Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5486 of 2017

1. Dr. Mithilesh Choubey Son of Late Parshuram Choubey, Resident of Village and Post-Mahabalipur, P.S.-Paliganj, District-patna.
2. Narhari Tiwari, Son of Late Kameshwar Tiwari Resident of Village-Nawahi, P.O.-Tiskhora, P.S.-Nauwatpur, District-Patna

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar, Kameshwar Nagar, Darbhanga.
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Kameshwar Singh, Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. Gverning Boby, Mukhlal Sanskrit Upshastri Collage, Banadhuchapra, Bhojpur through its Secretary, Ba
5. The Principal Mukhlal Sanskrit Upshasatri College, Banduuchapra, Bhojpri
6. The State of Bihar, through Principal Secretary, Department, of Education Government of Bihar, New
7. Director, Higher Education, Department of Education Government of Bihar, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 13075 of 2007)

For the Petitioner/s : Mr.Durga Nand Jha, Advocate
For the State : Mr. Ashok Kumar Dubey, AC to AAG-11
For the University : Mr. Deepak Kumar, Advocate

(In Civil Writ Jurisdiction Case No. 12574 of 2007)

For the Petitioner/s : Mr.Durga Nand Jha, Advocate
For the State : Mr. Satya Vrat, AC to GP-10

(In Civil Writ Jurisdiction Case No. 13285 of 2007)

For the Petitioner/s : Mr.Durga Nand Jha, Advocate
For the State : Mr. Raghwanand, GA-11
Mr. Prabhat Kumar, AC to GA-11

(In Civil Writ Jurisdiction Case No. 14603 of 2007)

For the Petitioner/s : Mr.Tara Nath Jha, Advocate
For the Respondent/s : Mr.

(In Civil Writ Jurisdiction Case No. 8521 of 2009)

For the Petitioner/s : Mr. Durga Nand Jha, Advocate
For the State : Mr. Satya Vrat, AC to GP-10

(In Civil Writ Jurisdiction Case No. 5486 of 2017)

For the Petitioner/s : Mr.Durga Nand Jha, Advocate
For the Respondent/s : Mr.Kameshwar Kumar, GP-17
Mr. Arbind Kumar, AC to GP-17



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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date : 11-09-2023

Heard learned counsel for the petitioner and learned counsel for the State in all these writ applications.

2. It appears from the order dated 12.03.2012 passed in CWJC No.13075 of 2007 and other analogous cases that these cases were ordered to be listed after disposal of L.P.A. No.1925 of 2011.

3. A copy of the judgment dated 18.12.2020 passed by Hon'ble Division Bench of this Court in L.P.A. No.1925 of 2011 arising out of CWJC No.6534 of 2009 has been placed on record.

4. From a reading of the judgment of the Hon'ble Division Bench, it appears that having noticed the fact that the judgment of a learned coordinate Bench in CWJC No.11271 of 1992 (Narendra Narayan Prasad Vs. The State of Bihar & Ors.) has attained finality, the Hon'ble Division Bench dismissed the L.P.A. No.1925 of 2011 with an observation that the members of the petitioner association were claiming benefit only up to the age of 62 years to which they would be entitled to under the orders of this Court.

5. Learned counsel for the petitioners submits that after



the Hon’ble Division Bench judgment of this Court, the State has already issued a Notification conferring the benefit of age of superannuation up to 62 years for those who were made to retire after 31.03.2006.

6. Be that as it may, since it is an admitted position that these cases are covered by the judgment of the Hon’ble Division Bench in L.P.A. No.1925 of 2011, this Court directs the respondents to consider the case of the petitioners in accordance with the Bihar Litigation Policy, 2011 and in case it is found that they are identically situated and covered by the Notification already issued by the Government, identical benefits shall be provided to the petitioners.

7. Let the entire exercise be completed within a period of two months from the date of receipt/communication of a copy of this order.

8. All these writ applications are disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	12.09.2023
Transmission Date	

