

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.766 of 2016

In
Civil Writ Jurisdiction Case No.15661 of 2014

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1. The State Of Bihar through Agriculture Production Commissioner, Bihar, Patna.
 2. The Agriculture Production Commissioner, Bihar, Patna.

... .. Appellant/s

Versus

1. Md. Najimuddin, S/o Late Moinuddin, resident of Village- Ramnager Kharjama, P.O- Kochhara, District- Nalanda.
2. Rajendra Thakur, Son of Late Rameshwar Thakur, resident of Shambhu Nathpur Dholi, P.O.- TCA Dholi, District- Muzaffarpur.
3. Hare Krishna Roy, S/o Late Ram Prasad Roy, resident of at and P.O. Dighara, District- Samastipur.
4. The Rajendra Agriculture University, PUSA through its Vice-Chancellor, PUSA, Samastipur.
5. The Vice-Chancellor, Rajendra Agriculture University, PUSA, Samastipur.
6. The Registrar, Rajendra Agriculture University, PUSA, Samastipur.
7. The Director, Administration, Rajendra Agriculture University, PUSA, Samastipur.
8. The Controller, Rajendra Agriculture University, PUSA, Samastipur.

... .. Respondent/s

with

Letters Patent Appeal No. 1575 of 2015

In
Civil Writ Jurisdiction Case No.5221 of 2015

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1. The Rajendra Agriculture University Pusa.
 2. The Vice-chancellor, Rajendra Agriculture University, PUSA, Samastipur.
 3. The Registrar, Rajendra Agrticulture University, PUSA, Samastipur.
 4. The Director Administration, Rajendra Agriculture University, PUSA, Samastipur.
 5. The Comptroller, Rajendra Agriculture University, PUSA, Samastipur.

... .. Appellant/s

Versus

1. Ram Kumar Rai, son of Late Triveni Rai, resident of village- Mahmada, P.O. P.S.-PUSA, District- Samastipur.
2. Deo Prasad Rai, son of Late Ram Bichar Rai, resident of village-Brahampur, P.O.P.S.- Parsa, District- Saran.

3. Bideshwari Mandal, son of Late Ram Awatar Mandal, resident of village-Soreshund, P.O.P.S.- Runni Saidpur, District- Sitamarhi.
4. Deeplal Singh Yadav, son of Late Mogal Singh Yadav, resident of village-Bandhuchak, P.O.- Alinagar, Pali, P.S.- Pali, District- Jehanabad.
5. The State of Bihar through the Agriculture Production Commissioner, Bihar, Patna.
6. The Agriculture Production Commissioner, Bihar, Patna.
7. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna.

... ... Respondent/s

with
Letters Patent Appeal No. 2011 of 2015
In
Civil Writ Jurisdiction Case No.16299 of 2014

1. The Rajendra Agriculture University Pusa.
2. The Vice Chancellor, Rajendra Agriculture University PUSA, Samastipur.
3. The Registrar, Rajendra Agriculture University, PUSA Samastipur.
4. The Director Administration, Rajendra Agriculture University, PUSA Samastipur.
5. The Comptroller, Rajendra Agriculture University, PUSA, Samastipur.

... ... Appellant/s

Versus

1. Imtiyaz Ahmad, son of Late Sirajuddin resident of DType 35, Near Post Office, RAU, PUSA, Samastipur.
2. The State of Bihar through the Agriculture Production Commissioner, Bihar, Patna.
3. The Agriculture Production Commissioner, Bihar, Patna.

... ... Respondent/s

with
Letters Patent Appeal No. 2022 of 2015
In
Civil Writ Jurisdiction Case No.6799 of 2015

1. The Rajendra Agriculture University, Pusa.
2. The Vice Chancellor, Rajendra Agriculture University, PUSA, Samastipur.
3. The Registrar, Rajendra Agriculture University, PUSA Samastipur.
4. The Director Administration, Rajendra Agriculture University, PUSA Samastipur.
5. The Controller, Rajendra Agriculture University, PUSA, Samastipur.

... .. Appellant/s

Versus

1. Kamlesh Kumar Thakur, son of Late Ram Sherestha Thakur, resident of village Jagdishpur Ram, P.O./Chakhazi, District - Samastipur.
2. Vijay Kumar Singh, son of Late H P Singh, resident of mohalla Mirza Heyat Bagh, Trimurti Bhawan, P.O. Lal Bagh, District Darbhanga.
3. Surendra Kumar Kant son of Late Nago Pandit resident of village and P.O. Bhandari, District Nalanda Bihar.
4. Sudhir Kumar Verma, son of Late Ramesh Chandra Verma, resident of village Paruhar, P.O. Dumra, District Saharsa.
5. The State of Bihar through the Agriculture Production Commissioner, Bihar, Patna.
6. The Agriculture Production Commissioner, Bihar, Patna.
7. The Joint Secretary Department of Agriculture University, PUSA, Samastipur.

... .. Respondent/s

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with

Letters Patent Appeal No. 2048 of 2015

In

Civil Writ Jurisdiction Case No.6565 of 2015

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1. The Rajendra Agriculture University, Pusa.
2. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna.
3. The Registrar, Rajendra Agriculture University, PUSA, Samastipur.
4. The Director Administration, Rajendra Agriculture University PUSA, Samastipur.
5. The Vice-Chancellor, Rajendra Agriculture University, PUSA Samastipur.

... .. Appellant/s

Versus

1. Ashok Raut, Son of H.P.I Raut, At P.O. - Uttar Mechagram, P.S. - Panskura, District - East Midnapur W.B., presently residing at Quarter No. 63. Near Poultry Farm, R.A.U. PUSA, Samastipur.
2. Jagat Narayan Singh, Son of Late Kamaldeo Narain Singh, At Mahadali Chalk, P.O. - Gopalpur, District - Chhapra Saran.
3. Shiv Kumar Singh, Son of Shiv Mangal Singh, At P.O. - Dumri Bujurg, District - Chhapra, Saran.
4. Dharamshila Jha, Wife of Late Shiv Bilash Thakur, At P.O. Patsara, P.S. - Pier, District - Darbhanga.
5. Sunil Kumar Lal das, Son of Late Y.L. Das, At P.O. PUSA Farm, RAU Campus, NEar Poultry Farm, Quarter No. N.D./77, District - Samastipur.
6. Awadesh Kumar, Son of Late Kisan Dev Rai, At Harpur PUSA, P.O. -

PUSA, District - Samastipur.

7. Ashok Kumar Das, Son of Late R.N. Das, At Olipur, P.O. - Imadpatty, District - Madhubani.
8. Rajesh Kumar, Son of Late Ram Chandra Rai, AT P.O. - Pusa Farm, RAU Campus, Quarter No. ND/69, District - Samastipur.
9. Rakesh Kumar Rai, Son of Late Ram Ashish Rai, Resident of Village - Harpur PUSA, P.O. P.S. - PUSA, District - Samastipur.
10. Rajeshwar Sharma, Son of Late Bhola Sharma, Resident of Village P.O. - Prahaladpur, P.S. - Musari, District - Muzaffarpur.
11. Shashi Kant Pandey, Son of Late Hari Milan Pandey, resident of village and P.O. Baliwan Sagar, P.S. Kuchikot, District - Gopalganj.
12. Sunita Kumari, wife of Late Ram Kamat, at and P.O. Karhar, District - Madhubani.
13. Nadeem Ahmad Khan, Son of Late A.B. Khan, At Jaley Khan MOhalla, P.O. - Jaley, District - Darhanga, at present - D. Type, Quarter No. 14, Near Post Office, RAU Campus, PUSA, Samastipur.
14. Devesh Prasad, Son of Late Sheo Dutta Prasad, at and P.O. Kalyanpur, District - Gopalganj.
15. Vijayeta Priyadarshi, Wife of Sri Kripa Shankar Bharti, At Kanahiya Nagar, Near Kanahiya High School, Mirjapur, Post - Nawada, District - Nawada.
16. Rashmi, wife of Shri Subodh Kumar Srivastava, Resident of Mohalla - Gannippur Mishra Tola, Kalambagh Chowk, District - Muzaffarpur.
17. Tulsi Mahto, Son of Izate Brij Bhari matho, At P.O. - Hilalpur, District - Vaishali Hajipur.
18. Mala Sinha, Wife of Late Sunil Kumar, at and P.O. Malikaur, District - Samastipur.
19. The State of Bihar through the Agriculture Production Commissioner, Bihar Patna.
20. The Agriculture Production Commissioner, Bihar, Patna.
21. The Comptroller Rajendra Agriculture University, Pusa, Samastipur.

... .. Respondent/s

with
Letters Patent Appeal No. 2054 of 2015
In
Civil Writ Jurisdiction Case No.15661 of 2014

1. The Rajendra Agriculture University, Pusa.
2. The Vice Chancellor, Rajendra Agriculture University PUSA, Samastipur.
3. The Registrar Rajendra Agriculture University, PUSA Samastipur.
4. The Director Administration, Rajendra Agriculture University, PUSA Samastipur.
5. The Controller, Rajendra Agriculture University, PUSA, Samastipur.

... .. Appellant/s

Versus

1. Md. Najmuddin, Son of Late Moinuddin, Resident of Village Ram Nagar, Kharjama, P.O. - Kochhara, District - Nalanda
2. Rajendra Thakur, Son of Late Rameshwar Thakur, Resident of at Shambhu Nathpur Dholi, P.O. - TCA, Dholi, District - Muzaffarpur.
3. Hare Krishna Roy, Son of Late Ram Prasad Roy, Resident of at and P.O. - Dighara, District - Samastipur.
4. The State of Bihar through the Agriculture Production Commissioner, Bihar, Patna.
5. The Agriculture Production Commissioner, Bihar, Patna.

... .. Respondent/s

with
Letters Patent Appeal No. 2125 of 2015
In
Civil Writ Jurisdiction Case No.15667 of 2014

The Rajendra Agriculture University, Pusa and Ors

... .. Appellant/s

Versus

Ashok Kumar Singh and Ors

... .. Respondent/s

with
Letters Patent Appeal No. 61 of 2016
In
Civil Writ Jurisdiction Case No.6441 of 2015

1. The Rajendra Agriculture University Pusa.
2. The Vice Chancellor Rajendra Agriculutre University, Pusa Samastipur.
3. The Registrar, Rajendra Agriculture University, PUSA Samastipur.
4. The DirectorAdminstration, Rajendra Agriculture University, PUSA Samastipur.
5. The Controller, Rajendra Agriculture University, PUSA, Samastipur.

... .. Appellant/s

Versus

1. Chandra Kant Sharma, Son of late Upendra Sharma resident of village-Yamunabarahi, P.O.-Kamaldah, District-Sitamarhi.
2. Surendra Mohan Tiwari, son of late Bishambhar tiwari, resident of villageP.O.-Bajitpur Chakaspuri, Police Station-Sahdai Buzurg, District-Vaishali.

3. Anil Kuamr, son of Late Shree Chand Prasad, resident of mohalla-Chowck Pandit Gali, P.O. P.S.- Biharsharif, District-Nalanda.
4. Ajay Kumar Singh, son of Late Gangan Prasad Singh, resident of village-Balha, P.O.-Tharma, Police Station-Gaighat, District-Muzaffarpur.
5. Binod Prasad, son of late Yougeshwar Prasad, resident of village-Naurojpur, P.O.-Barbiga, District-Nalanda.
6. Raju Kumar, son of Late Badri Prasad, resident of village-Dharhara, P.O.-Pali, District-Patna.
7. Sachidanand Pandey, son of Sri Mahendra Pandey, resident of village-Bishanpur Bakhri, P.O.-Basantpur Bakhri, District-Muzaffarpur.
8. Gyan Ranjan Prasad, son of late Braj Kishore Prasad, resident of mohalla-Mahrajganj, Kurmitola, P.O.-Gulzarbagh, Patna.
9. Madan Prasad, son of Late Ram Briksh Prasad, resident of ATP.O.-Bankat, District-East Champaran.
10. Ajay Kumar Singh, son of Late Sidheshwar Prasad Singh, resident of village-Barah, P.O.- Bhuapur, Police Station-Belchi, District-Patna.
11. Naresh Kumar, son of Late Srichand Prasad, resident of village- Nanour, P.O.-Ibrahimpur, P.S.-Bind, District-Nalanda.
12. Subhash Chandra Singh, son of Sri Rajeshwar Prasad Singh, resident of At-Hulasitola, P.O.-Maner, District-Patna.
13. Ashok Kuamr Singh, son of late Awadh Thakur, resident of village-Repura, P.O.-Waini, District-Samastipur.
14. Devendra Kumar Sinha, son of Sri Raghunath Prasad, resident of village-Hindu Chakia, District-East Champaran.
15. Nawal Kishore Pandit, son of Late Ramswaroop Pandit, resident of village-Mahmada, P.O.P.S.-PUSA, District-Samastipur.
16. Ram Jatan Paity, son of Late Rajendra Paity, resident of village P.O.-Harpur PUSA, Samastipur.
17. Ganesh Prasad, son of Late Lakshman Lal, resident of Quarter No.New D-62, Near Poultry Farm RAU, Campus, P.O.-PUSA Samastipur.
18. Mishri Prasad Singh, son of Late Sukan Prasad Singh, resident of village-Begampur, P.O.-Ara, District-Bhojpur.
19. Binay Kumar Thakur, son of Sri Tej Narayan Thakur, PUSA Bazar, P.O.P.S.-PUSA, District-Samastipur.
20. Krishan Murari Prasad, son of Late Prayag Narayan Prasad, resident of Nirmal Kuti Dalhatta, Munger, Munger.
21. Basudeo Pandey, son of Late Nageshwar Pandey, resident of villageP.O.-Tepri, P.S.- Pear, District-Muzaffarpur.
22. Rekha Khatri, D/o Sri S.L. Mehta, resident of village-Simri Gopal, P.O.-Balha, District-Samastipur.
23. Md. Ali Hussain, son of Cheedi Hussain, resident of village-Sanhularamnagar, P.O.-Gadhrampur, District-DeoriU.P.
24. Kshtrapati Mishra, son of Sri Chandramani Mishra, resident of Quarter No.

JD-12 RAU Campus PUSA, District- Samastipur.

- 25. Anil Kumar Priyadarshi, son of Late Sohan Lal, resident of mohalla- Nandgola, P.O.-Patna City, District-Patna.
- 26. Amrendra Kumar Pandey, son of Late Jagdish Pandey, resident of village- Moriawan, P.O.-Datoama, P.S.-Bikram, District-Patna.
- 27. Deepak Kumar Sinha, son of Late Balkeshwar Nath, resident of village P.O.- Hiropatti, District-Madhubani.
- 28. Sabhapati Singh, son of Late Brij Lal Singh, resident of village P.O.-Gundi, P.S.-Saraiya, District-Bhojpur.
- 29. The State of Bihar through the Agriculture Production Commissioner, Bihar,Patna.
- 30. The Agriculuture Production Commissioner, Bihar,Patna.
- 31. The Joint Secretary, Department of Agriculture , Government of Bihar,Patna.

... .. Respondent/s

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with
Letters Patent Appeal No. 645 of 2016
In
Civil Writ Jurisdiction Case No.16299 of 2014

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- 1. The State Of Bihar through Agriculture Production Commissioner, Bihar, Patna.
- 2. The Agriculture Production Commissioner, Bihar, Patna

... .. Appellant/s

Versus

- 1. Imtiyaz Ahmad, S/o lae Sirajuddin resident of 'D' Type - 35, Near Post office, RAU, PUSA, Samastipur
- 2. The Rajendra Agriculture University, PUSA through its Vice - Chancellor, PUSA, Samastipur
- 3. The Vice - Chancellor, Rajendra Agriculture University, PUSA, Samastipur
- 4. The Registrar, Rajendra Agriculture University, PUSA, Samastipur
- 5. The Director Administration , Rajendra Agriculture University, PUSA, Samastipur
- 6. The Controller, Rajendra Agriculture University, PUSA, Samastipur

... .. Respondent/s

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with
Letters Patent Appeal No. 930 of 2016
In
Civil Writ Jurisdiction Case No.15667 of 2014

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The State Of Bihar and Ors

... .. Appellant/s

Versus

Ashok Kumar Singh and Ors

... .. Respondent/s

with
Letters Patent Appeal No. 973 of 2016
In
Civil Writ Jurisdiction Case No.7679 of 2014

1. The State Of Bihar.
2. The Principal Secretary, Finance Department, Old Secretariat, Patna.

... .. Appellant/s

Versus

1. Kaushal Kishore, Son of Late Jawaharlal Gupta, resident of Village- Jaintpur, P.S- Saraiya, and District- Muzaffarpur.
2. Kaushal Kishore Giri, son of Late Dewan Giri, resident of village- Krishnapur, Baikunthpur, P.S.- Warishnagar, District- Samastipur.
3. Sanjeev Kumar Trivedi son of Late Uma Trivedi, resident of Village- Harpur Pusa, P.S.- Pusa, District- Samastipur.
4. Ram Kumar Ram, Son of Late Sita Ram Ram, Police Station- Dariyapur, District- Saran.
5. Ram Lalit Rai, son of Late Pharhari Lal Rai, resident of Village- Dubaha, Police Station- Sakara, District- Muzaffarpur.
6. Ganesh Giri, son of Sri Bisheshwar Giri, Police Station- Piyar, District- Muzaffarpur.
7. Chandeshwar Prasad, son of Late Rudal Prasad, resident of Mahanth Manihari, Poce Station- Mahanth Manihari, District- Muzaffarpur.
8. Swarth Paswan, son of Late Jadu Yaswan, resident of village- Makinpur, Etaha, Police Station- Sakara, District- Muzaffarpur.
9. Vijay Kumar Thakur, son of Late Laliteshwar Thakur, resident of village- Bel Mohan, Police Station- Ghoghardiha, District- Madhubani.
10. Sanjeev Kumar, son of Late Satya Narain Prasad Verma, resident of village- Madhurapur Tanra, P.S. Kalyanpur, District- Samastipur.
11. Arun kumar, son of Late Brahmdeo Poddar, resident of village- Maudah Buzurg, Police Station- Patepur, District- Vaishali.
12. Ramesh Kumar Jha, son of Sri Kusheshwar Jha, Resident of Village- Mishrauli, Police Station- Chandan Patti, District- West Champaran.
13. Ramdeo Rai, Son of Late Jadu Rai, resident of Village- Harpur Pusa, Police Station- Pusa, and District- Samastipur.
14. Tufail Ahmad, Son of Late Md. Anayat Karim, resident of Village- Rampur Bakhari, Police Station- Mahmada, District- Muzaffarpur.

15. Sita Ram Thakur, Son of Late Yugeswar Thakur, resident of village- Devpur, Police Station- Pusa and District- Samastipur.
16. Pawan Kumar Mishra, son of Sri Ram Autar Mishra, resident of village- Chand Chour Jajee Tol, Police Station- Mishra Tol, District-Samastipur.
17. Surendra Mahto, son of Late Rameshwar Mahto, resident of village- Ram Paran, P.O.- Jagdish Paran, P.S.- Chakmehsi, District- Samastipur.
18. Satendra Thakur, son of Late Sarjug Thakur, resident of village- Malinagar Simri, Police Station- Pusa, District- Samastipur.
19. Mishri Lal Paitee, son of Late Devi Lal Paitee, resident of Village- Harpur Pusa, Police Station- Pusa, and District- Samastipur.
20. Ram Narayan Thakur, son of Late Ram Lakhan Thakur, resident of village- Mahmadpur Deopar, Police Station- Pusa, District- Samastipur.
21. Md. Nafey, son of Late Jafribul Hasan, resident of village- Jitwarpur Chauth, P.S.- Jitwar Pur Chauth, P.S.- Samastipur, District- Samastipur.
22. Lakshman Sahu, son of Late Jharokhi Sahu, resident of Village- Laxmipur, Post Office- Telhan, District- Darbhanga.
23. Mahesh Rajak, son of Late Munshi Rajak, resident of Mohalla- Pathai Mahmadpur, P.S.- Sadar Muzaffarpur, District- Muzaffarpur.
24. Ramjas Singh, son of Late Raghunath Singh, resident of village- Jamuab, Post Office- Barsara, Post Office- Barsara, District- Gazipur U.P..
25. Zayaul Haque, son of Late Md. Suleman, resident of Village- Rajapur, Police Station- Chandanpatti, District- Muzaffarpur.
26. Kamlesh Devi, wife of Late Dr. Chitranjan Prasad resident of Mohalla- Khadi Bhandar, Gousala Road, P.S.- Sadar Muzaffarpur, District- Muzaffarpur.
27. Rajendra Paswan, son of Late Kashi Paswan, resident of Village- Mahmada, Police Station- Pusa, District- Samastipur.
28. Ram Basisth Rai son of Late Jagannath Rai, resident of village- Harpur Pusa, P.S.- Pusa, District- Samastipur.
29. Rajnandan Mehta, son of Late Basu Lal Mehta, resident of village- Simri Gopal, Police Station- Pusa, District- Samastipur.
30. Umesh Prasad Thakur, son of Late Radheshwar Thakur resident of village- Simri Gopal, Police Station- Pusa, District- Samastipur.
31. Arjun Mishra, son of Sri Ramadhar Mishra, resident of Village- Dudhpura, Police Station- Samastipur, District- Samastipur.
32. Ram Singhashan Rai, son of Late Desu Rai, Resident of village- Harpur, Pusa, Police Station- Pusa, District- Samastipur.
33. Binod Kumar Mishra, son of Late Yogendra Mishra, resident of village- Madhurapur Tanra, Police Station- Kalyanpur, District- Samastipur.
34. Akhilesh Kumar, son of Late Bhanu Mahto, resident of village Patepur Gopinath, Police Station- Pusa District- Samastipur.
35. Nagendra Prasad Singh, son of Late Praduman singh, resident of village- Indraz, Police Station- Jakhim, District- Aurangabad.

36. Sanjay Kumar, Son of Late Bindeshwar Prasad Singh, resident of village- Khairwadarp, Police Station- Khairwadazp, District- Sheohar.
37. Sukhdeo Prasad, son of Late Biran Prasad. resident of village- Sarshopahi, Police Station- Pahi and District- Madhubani.
38. Vijay Kumar Mishra, son of Late Bindeshwar Mishra, resident of village- Mahamadpur, Birauli, Police Station- Pusa, District- Samastipur.
39. Md. Arashad Ahmad, son of Late S.A. Jubair, resident of village- Sherghati, Kazi Mohalla, Police Station- Sherghati, District- Gaya.
40. The Rajendra Agriculture University, Bihar, PUSA, Samastipur through its Registrar having its office
41. The Vice-Chancellor, Rajendra Agriculture University, Bihar, PUSA, Samastipur.
42. The Director Administration, Rajendra Agriculture University, Bihar, PUSA, Samastipur.

... .. Respondent/s

with
Letters Patent Appeal No. 1159 of 2016
In
Civil Writ Jurisdiction Case No.6799 of 2015

1. The State Of Bihar.
2. The Agriculture Production Commissioner, Govt. of Bihar, Patna.
3. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna.

... .. Appellant/s

Versus

1. Kamlesh Kumar Thakur, son of Late Ram Sherestha Thakur, resident of village-Jagdishpur Ram, P.O.-Chakhazi, District-Samastipur.
2. Vijay Kumar Singh, son of Late H.P. Singh, resident of mohalla-Mirza Heyat Bagh Trimurti Bhavan, P.O.-Lal Bagh, District-Darbhanga.
3. Surendra Kumar Kant, son of Late Nago Pandit, resident of village P.O.- Bhandari, District- Nalanda Bihar.
4. Sudhir Kumar Verma, son of Late Ramesh Chandra Verma, resident of at Paruhar, P.O.-Dumra, District-Saharsa.
5. The Rajendra Agriculture University, PUSA through its Vice-chancellor, PUSA, Samastipur.
6. The Vice-chancellor, Rajendra Agriculture University, PUSA, Samastipur.
7. The Registrar, Rajendra Agriculture University, PUSA, Samastipur.
8. The Director Administration, Rajendra Agriculture University, PUSA, Samastipur.
9. The Controller, Rajendra Agriculture University, PUSA, Samastipur.

... .. Respondent/s

with

Letters Patent Appeal No. 1442 of 2016
In
Civil Writ Jurisdiction Case No.5221 of 2015

1. The State Of Bihar.
 2. The Agriculture Production Commissioner, Bihar, Patna.
- Appellant/s

Versus

1. Ram Kumar Rai, S/o Late Triveni Rai, Resident of- Village- Mahmada, P.O and P.S.-PUSA, District- Samastipur.
 2. Deo Prasad Rai, S/o Late Ram Bichar Rai, Resident of- Village-Brahampur, P.O and P.S.- Parsa, District- Saran.
 3. Bindeshwari Mandal, S/o Late Ram Awatar Mandal, Resident of- Village- Soreshund, P.O. and P.S.- Runni Saidpur, District- Sitamarhi.
 4. Deeplal Singh Yadav, S/o Late Mogal Singh Yadav, Resident of Village- Bandhuchak, P.O.- Alinagar, Pali, P.S.- Pali, District- Jehanabad.
 5. The Rajendra Agriculture University, PUSA through its Vice-Chancellor, PUSA, Samastipur.
 6. The Vice-Chancellor, Rajendra Agriculture University, PUSA, Samastipur.
 7. The Registrar, Rajendra Agriculture University, PUSA, Samastipur.
 8. The Director, Administration, Rajendra Agriculture University, PUSA, Samastipur.
 9. The Comptroller, Rajendra Agriculture University, PUSA, Samastipur.
- Respondent/s

with

Letters Patent Appeal No. 1466 of 2016
In
Civil Writ Jurisdiction Case No.5867 of 2015

1. The State Of Bihar
 2. The Agriculture Production Commissioner, Bihar, Patna.
- Appellant/s

Versus

1. Kishore Paswan, Son of Late Budhu Paswan, resident of Village- Bhuskoule, P.O. P.S.- Pusa, District- Samastipur.
 2. Rajendra Agriculture University, PUSA through its Vice-Chancellor, PUSA, Samastipur.
 3. The Vice-Chancellor, Rajendra Agriculture University, PUSA, Samastipur.
 4. The Registrar, Rajendra Agriculture University, PUSA, Samastipur.
 5. The Director Administration, Rajendra Agriculture University, PUSA, Samastipur.
 6. The Controller, Rajendra Agriculture University, PUSA, Samastipur.
- Respondent/s

with
Letters Patent Appeal No. 1531 of 2016
In
Civil Writ Jurisdiction Case No.6565 of 2015

1. The State Of Bihar
2. The Agriculture Production Commissioner, Bihar, Patna

... .. Appellant/s

Versus

1. Ashok Raut, Son of H P Raut, at P.O. Uttar Mechagram, P.S. Panskura, District - East Midnapur W.B. Presently
2. Jagat Narayan Singh, Son of Late Kamaldeo Narain Singh at Mahadali Chalk, P.O. Gopalpur, District - Chhapra (Saran)
3. Shiv Kumar Singh, Son of Shiv Mangal Singh At P.O. Dumri Bujurg, District Chhapra, Saran
4. Dharamshila Jha Wife of Late Shiv Bilash Thakur, At P.O. Patsara, P.S. Pier, District Darbhanga
5. Sunil Kumar Lal Das, Son of Late Y L Das, At P.O. Pusa, Farm, RAU, Campus, Near Poultry Farm, Quarter No. N D /77, District - Samastipur
6. Awadhesh Kumar, Son of Late Kisan Dev Rai, At Harpur, Pusa, P.O. Pusa, District - Samastipur
7. Ashok Kumar Das, Son of Late R N Das, At Olipur, P.O. Imadpatrty, District - Madhubani
8. Rajesh Kumar, Son of Late Ram Chandra Rai, At P.O. Pusa Farm, RAU Campus, Quarter No. ND/69, District - Samastipur
9. Rakesh Kumar Rai, Son of Late Ram Ashish Rai, resident of village - Harpur, Pusa, P.O. and P.S. Pusa, District - Samastipur
10. Rajeshwar Sharma, Son of Late Bhola Sharma, resident of village and P.O. Prahaladpur, P.S. Musari, District - Muzaffarpur
11. Shashi Kant Pandey, Son of Late Hari Milan Pandey, resident of village and P.O. Baliwan Sagar, P.S. Kuchikot, District - Gopalganj
12. Sunita Kumari, Wife of Late Ram Kamat, At and P.O. Karhar, District - Madhubani
13. Nadeem Ahmad Khan, Son of Late A B Khan at Jaley Khan Mohalla, P.O. Jaley, District Darbhanga at Present D. Type Quarter No. 14, Near Post office, RAU, Campus, Pusa, District - Samastipur
14. Devesh Prasad, Son of Late Sheo Dutta Prasad at and P.O. Kalyanpur, District - Gopalganj
15. Vijayeta Priyadarshi Wife of Sri Kripa Shankar Bharti at Kanahiya Nagar, Near Kanahiya High School, Mirzapur, Post Nawada, District - Nawada
16. Rashmi Wife of Shri Subodh Kumar Srivastava resident of Mohalla - Gannippur Mishra Tola, Kalambagh Chowk, District Muzaffarpur
17. Tulsi Mahto Son of Izate Brij Bihari Mahto at and P.O. Hilalpur, District

Vaishali Hajipur

18. Mala Sinha Wife of Late Snil Kumar at and P.O. Malikaur, District - Samastipur
19. The Rajendra Agriculture University, PUSA through its Vice Chancellor, PUSA, Samastipur
20. The Vice Chancellor, Rajendra Agriculture University, PUSA, Samastipur
21. The Registrar, Rajendra Agriculture University, PUSA, Samastipur
22. The Director Administration , Rajendra Agriculture University, PUSA, Samastipur.
23. The Controller, Rajendra Agriculture University, PUSA, Samastipur

... .. Respondent/s

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with

Letters Patent Appeal No. 1578 of 2016

In

Civil Writ Jurisdiction Case No.6441 of 2015

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1. The State Of Bihar.
2. The Agriculture Production Commissioner, Bihar, Patna.
3. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna.

... .. Appellant/s

Versus

1. Chandra Kant Sharma, son of Late Upendra Sharma, resident of village-Yamunabarahi, P.O.-Kamaldah, District-Sitamarhi.
2. Surendra Mohan Tiwari, son of Late Bishambhar Tiwari, resident of village P.O.-Bajitpur Chakaspuri, Police Station-Sahdai Buzurg, District-Vaishali.
3. Anil Kumar, son of Late Shree Chand Prasad, resident of Mohalla-Chowck Pandit Gali, P.O. P.S.- Biharsharif, District-Nalanda.
4. Ajay Kumar Singh, Son of Late Gangan Prasad Singh. resident of village-Balha, P.O.-Tharma, Police Station-Gaighat, District-Muzaffarpur.
5. Binod Prasad, son of late Yougeshwar Prasad, resident of village-Naurojpur, P.O.-Barbiga, District-Nalanda.
6. Raju Kumar, son of Late Badri Prasad, resident of village-Dharhara, P.O.-Pali, District-Patna.
7. Sachidanand Pandey, son of Sri Mahendra Pandey, resident of village-Bishanpur Bakhri, P.O.-Basantpur Bakhri, District-Muzaffarpur.
8. Gyan Ranjan Prasad, son of late Braj Kishore Prasad, resident of mohalla-Mahrajganj, Kurmitola, P.O.-Gulzarbagh, Patna.
9. Madan Prasad, son of Late Ram Briksh Prasad, resident of AtP.O.-Bankat, District-East Champaran.
10. Ajay Kumar Singh, son of Late Sidheshwar Prasad Singh, resident of village-Barah, P.O.- Bhuapur, Police Station-Belchi, District-Patna.
11. Naresh Kumar, son of Late Srichand Prasad, resident of village- Nanour, P.O.-Ibrahimpur, P.S.-Bind, District-Nalanda.

12. Subhash Chandra Singh, son of Sri Rajeshwar Prasad Singh, resident of At-Hulasitola, P.O.-Maner, District-Patna.
13. Ashok Kumar Singh, son of late Awadh Thakur, resident of village-Repura, P.O.-Waini, District-Samastipur.
14. Devendra Kumar Sinha, son of Sri Raghunath Prasad, resident of village-Hindu Chakia, District-East Champaran.
15. Nawal Kishore Pandit, son of Late Ramswaroop Pandit, resident of village-Mahmada, P.O.P.S.-PUSA, District-Samastipur.
16. Ram Jatan Paity, son of Late Rajendra Paity, resident of village P.O.-Harpur PUSA, Samastipur.
17. Ganesh Prasad, son of Late Lakshman Lal, resident of Quarter No.New D-62, Near Poultry Farm RAU, Campus, P.O.-PUSA Samastipur.
18. Mishri Prasad Singh, son of Late Sukan Prasad Singh, resident of village-Begampur, P.O.-Ara, District-Bhojpur.
19. Binay Kumar Thakur, son of Sri Tej Narayan Thakur, PUSA Bazar, P.O.P.S.-PUSA, District-Samastipur.
20. Krishan Murari Prasad, son of Late Prayag Narayan Prasad, resident of Nirmal Kuti Dalhatta, Munger, Munger.
21. Basudeo Pandey, son of Late Nageshwar Pandey, resident of villageP.O.-Tepri, P.S.- Pear, District-Muzaffarpur.
22. Rekha Khatri, D/o Sri S.L. Mehta, resident of village-Simri Gopal, P.O.-Balha, District-Samastipur.
23. Md. Ali Hussain, son of Cheedi Hussain, resident of village-Sanhularamnagar, P.O.-Gadhrampur, District-DeoriU.P.
24. Kshtrapati Mishra, son of Sri Chandramani Mishra, resident of Quarter No. JD-12 RAU Campus PUSA, District- Samastipur.
25. Anil Kumar Priyadarshi, son of Late Sohan Lal, resident of Mohalla-Nangola, P.O.-Patna City, District-Patna.
26. Amrendra Kumar Pandey, son of Late Jagdish Pandey, resident of village-Moriawan, P.O.-Datoama, P.S.-Bikram, District-Patna.
27. Deepak Kumar Sinha, son of Late Balkeshwar Nath, resident of village P.O.-Hiropatti, District-Madhubani.
28. Sabhapati Singh, son of Late Brij Lal Singh, resident of village - Bhojpur.
29. The Vice-chancellor, Rajendra Agriculture University, PUSA, Samastipur.
30. The Registrar, Rajendra Agriculture University, PUSA, Samastipur.
31. The Director Administration, Rajendra Agriculture University, PUSA, Samastipur.
32. The Comptroller, Rajendra Agriculture University, PUSA, Samastipur.

... .. Respondent/s

Appearance :

(In Letters Patent Appeal No. 766 of 2016)

For the Appellant/s : Mr. Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)

For the Respondent/s : Mr. Sanjay Kumar Giri
For the Respondent University : Mr. Devendra Kr. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
(In Letters Patent Appeal No. 1575 of 2015)
For the Appellant/s : Mr.D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)
(In Letters Patent Appeal No. 2011 of 2015)
For the Appellant/s : Mr.D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)
(In Letters Patent Appeal No. 2022 of 2015)
For the Appellant/s : Mr.D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
For the Respondent/s : Mr.Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)
(In Letters Patent Appeal No. 2048 of 2015)
For the Appellant/s : Mr.D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
For the Respondent/s : Mr.Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)
(In Letters Patent Appeal No. 2054 of 2015)
For the Appellant/s : Mr.D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
For the Respondent/s : Mr.Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)
(In Letters Patent Appeal No. 2125 of 2015)
For the Appellant/s : Mr. D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)
(In Letters Patent Appeal No. 61 of 2016)
For the Appellant/s : Mr. D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
For the Respondent/s : Mr.Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kumar Tiwary, (AC to AAG 13)
(In Letters Patent Appeal No. 645 of 2016)
For the Appellant/s : Mr. Sarvesh Kumar Singh, AAG 13
Mr. Arya Achint, (AC to AAG 13)
For the Respondent/s : Mr. Santosh Kr. Mishra, Advocate
For the University : Mr. D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
(In Letters Patent Appeal No. 930 of 2016)
For the Appellant/s : Mr.Sarvesh Kumar Singh, AAG 13
Mr. Ravi Kumar, (AC to AAG13)
For the Respondent/s : Mr.
For the University : Mr. D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
(In Letters Patent Appeal No. 973 of 2016)
For the Appellant/s : Mr.Sarvesh Kumar Singh, AAG13
For the Respondent/s : Mr. Ashok Kumar Chaudhary, Sr. Adv.
Mr. Gajendra Kumar, Advocate
For the University : Mr. D.K. Sinha, Sr. Adv.
(In Letters Patent Appeal No. 1159 of 2016)
For the Appellant/s : Mr. Sarvesh Kumar Singh, AAG 13

Mr. Tej Pratap Singh, (AC to AAG 13)
For the Respondent/s : Mr.Santosh Kr. Mishra, Advocate
For the University : Mr. D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
(In Letters Patent Appeal No. 1442 of 2016)
For the Appellant/s : Mr.Sarvesh Kumar Singh, AAG 13
Ms. Ritambhara Kumari, Advocate
For the University : Mr. D.K. Sinha, Sr. Adv.
Mr. C.M. Singh, Advocate
(In Letters Patent Appeal No. 1466 of 2016)
For the Appellant/s(State) :Mr.Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kr. Tiwary, (AC to AAG 13)
For the Respondent/s : Mr.
(In Letters Patent Appeal No. 1531 of 2016)
For the Appellant/s : Mr.Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kr. Tiwary, (AC to AAG 13)
For the Respondent/s : Mr.
(In Letters Patent Appeal No. 1578 of 2016)
For the Appellant/s : Mr.Sarvesh Kumar Singh, AAG 13
Mr. Rajat Kr. Tiwary, (AC to AAG 13)
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 24-01-2023

In L.P.A. No. 973 of 2016.

In this L.P.A., learned counsel for the respondent Mr. Ashok Kumar Chaudhary submitted on instruction that some of the respondents have died during pendency of the L.P.A., therefore, necessary substitution application is required to be filed.

2. In the result, L.P.A. No. 973/2016 is de-linked with other matters and respondents' counsel is permitted to file interlocutory application within four weeks in bringing the legal heirs of the concerned deceased respondents.

3. Matter is being adjourned from time to time for more than thirty times. On 18.01.2023 the following order was passed.

“The matter is heard at length.

Learned Respondent’s counsel could not apprise this Court that there is a discrimination in so far as the extending up-gradation pay on par with posts of Typist, Typist-cum-Clerk to such of those persons who are holding the post of Steno-typist. In this regard, he is hereby directed to apprise this Court on the next date of hearing that the posts of Typist, Typist-cum-Clerk and Steno-typist are equivalent cadre, so as to contend that there is a discrimination in the policy of the Agriculture University/State Government insofar as the extending up-gradation of pay.

*The Apex Court recently in the case of **The Union of India and Ors. Vs. Rajib Khan and Ors.** vide judgment dated 16th January, 2023 passed in Civil Appeal No. 172 of 2023 (@ Special Leave Petition (Civil) No. 8083 of 2022) held that even in a single cadre there could be a different pay-scale and it is further held that it is a policy decision of the respective authority. It is also to be noted that the Apex Court in the cases of **P.U. Joshi and Ors. Vs. Accountant General, Ahmedabad and Ors.**, reported in, (2003) 2 SCC 632 and **Union of India and Ors. Vs. Pushpa Rani and Ors.** reported in (2008) 9 SCC 242, elaborately discussed so as to service condition of an employee stipulated by the competent authority could not be interfered by the Tribunals/Courts.*

Learned counsel for the Respondents is hereby directed to take note of the aforesaid decisions of the Apex Court and make his submission.

Re-list these matters on 24.01.2023.”

4. Today learned counsel for the respondents is seeking time and the same is hereby rejected.

5. Core issue involved in the present *lis* is whether respondents are entitled to have the benefit of upgradation of pay-scale in the light of decision of the Rajendra Agriculture University, Bihar dated 24.06.1982 or not? Agenda Item No. V(a) relates to:-

“Upgradation of pay-scale of the ministerial staff working in the constituent units of the Rajendra Agriculture, University, Bihar. It is necessary to reproduce proceedings dated 24.06.1982 para 2 and 7 suffice that the respondents are not entitled to have any benefit of upgradation of pay scale. In other words, there is no reference to the post of Steno-Typist on the other hand, it relates to only Clerks and Head-clerks. Further, the resolution for upgradation would be effective from 01.03.1982. It is reliably learnt that some of the respondents who were appointment subsequent to 01.03.1982, even on this issue respondents are not entitled. In the result, the learned single judge has committed glaring error in allowing the writ-petitions.”

6. Claiming any pay parity with similarly situated persons there are number of events were required to be taken note of like date of joining, for which post and other service conditions insofar as the post held by respective parties. On the last occasion we have taken note of Apex Court decisions like *The Union of India and Ors. Vs. Rajib Khan and Ors., P.U. Joshi and Ors. Vs. Accountant General, Ahemdabad* and *Union of India and Ors. Vs. Pushpa Rani and ors.* Today, learned counsel for the State cited *S.C. Chandra and Ors. Vs. State of Jharkhand and Ors. (2007) 8 SCC 279* (Para 27).

7. Reading of aforesaid judgments of the Apex Court it is crystal clear that fixation of pay and other service conditions including upgradation of pay-scale is a policy decision. In the present case, petitioner State has taken a decision and passed a resolution that upgradation of pay-scale is extended to Clerks and Head-clerks. There is no resolution or decision of the State to extend upgradation of pay-scale in so far as Steno-Typist is concerned. Therefore, the respondents have no statutory right to claim upgradation of pay-scale on par with such of those Clerks or Head-clerks, since they form separate class of persons and a class discrimination is permissible under Article 14 of the Constitution. Therefore, the petitioner State has made out a

prima-facie case so as to interfere with the order of the learned single judge dated 07.04.2015 passed in C.J.W.C. No. 15661 of 2014 and it is set aside. If any of the respondents are holding of the posts of clerk or Head Clerk, in that event concerned respondent is hereby directed to extend the aforementioned policy of upgradation of pay-scale.

8. Hence, the L.P.As stand allowed.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

balmukund/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	02.02.2023
Transmission Date	N.A