

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8516 of 2024

1. Ravi Shanker Son of Prakash Thakur, Resident of Nagendra Nagar, Ward No. 49, Sherpur, P.S. Muzaffarpur Sadar, District - Muzaffarpur, presently working as Assistant (3rd Grade Employee) on daily wages basis/contractual basis in B.C.A. Vocational Course of R.S.S. Mahila College, Sitamarhi, District - Sitamarhi.
2. Indrajit Kumar Singh @ Indrajit Singh Son of Shyamnandan Singh Resident of Ward No.10, Kailashpuri Mohalla, P.S. Dumra, District - Sitamarhi, presently working as 4th Grade Employee on daily wages basis/contractual basis in B.C.A. Vocational Course of R.S.S. Mahila College, Sitamarhi, District - Sitamarhi.
3. Ravi Bhusan Kumar Son of Chandeshwar Thakur Resident of Village and P.O. Koyala Belwa, District - East Champaran at Motihari, presently working as Assistant (3rd Grade Employee) on daily wages basis/contractual basis in B.C.A. Vocational Course of J.L.N.M. College, Ghorasahan, District - East Champaran at Motihari.
4. Md. Sajid Hussain Son of Md. Taiyab Ansari Resident of Village and P.O. Siswa Sob, District - East Champaran at Motihari, presently working as Peon (4th Grade Employee) on daily wages basis/contractual basis in B.C.A. Vocational Course of S.R.A.P. College, Bara Chakiya, District - East Champaran.
5. Ranvijay Singh Son of Suresh Chandra Singh Resident of Village - Mathiya Bhopal, P.S. Chiraia, District - East Champaran at Motihari, presently working as a 4th Grade Employee on daily wages basis/contractual basis in B.C.A. Vocational Course of J.L.N.M. College, Ghorasahan, District - East Champaran at Motihari.

... .. Petitioner/s

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.
8. The Principal, R.S.S. Mahila College, Sitamarhi, District - Sitamarhi.
9. The Principal, J.L.N.M. College, Gohdasahan, District - East Champaran at



Motihari.

10. The Principal, S.R.A.P. College, Bara Chakiya, District - East Champaran at Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : Mr. Rewti Kant Suman, SC 11
For the BRAU : Mr. Sunil Kumar Karn, Advcate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-11-2024 This writ petition has been filed 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 3rd Grade/4th Grade Employees in the different college of the Respondent B.R. A. Bihar 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.”

2. Learned counsel for the petitioners submits that the case of the petitioners are squarely covered by order of this Court as contained in Annexure P-18 passed in C.W.J.C No. 3631 of 2023, Annexure P-14 passed in LPA No. 1491 of 2012 and Annexure P-16 passed in C.W.J.C No. 9440 of 2016. Learned counsel further submits that the State of Bihar has a litigation policy known as Bihar State Litigation Policy, 2011 and as per Rule 4(c)(1) of the said policy, if the claim of the petitioners are covered by any decision of this court then such claims are required to be considered at the level of the Department itself without compelling the claimants to litigate the matter in the Court.

3. It is submitted that following the aforesaid view, this Court has disposed of C.W.J.C No. 2239 of 2023 on 01.08.2023 with a direction to the Vice-chancellor of the University to consider the representation of the petitioners keeping in view the judgments of this Court and take an appropriate decision within a period of three months from the date of receipt/production of a copy of this order.



4. Learned counsel for the State and the University submit that they have no objection if the present writ petition is disposed of in terms of the order dated 21.08.2023 passed in C.W.J.C No. 3631 of 2023.

5. Having regard to the aforesaid submissions, this writ petition is disposed of with a liberty to the petitioners to file a representation before the Vice-chancellor, BRA University, Muzaffarpur within a period of four weeks from today.

6. In case such a representation is filed by the petitioners within the stipulated period, the respondent No. 5 is directed to consider the representation of the petitioners keeping in view the judgments of this Court and take an appropriate decision within a period of three months from the date of receipt/production of a copy of this order.

7. This writ application stands disposed of.

(Prabhat Kumar Singh, J)

Prakash/-

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