

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10647 of 2023

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Nand Kishor Sahani Son of Kamal Sahani Resident of village- Madhumalti,
P.O. Chapra Bahas, P.S. Sugauli, District- East Champaran at Motihari,
presently working as a Daily Wager Sweeper in L.N.D. College, Motihari,
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.
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, L.N.D. College, Motihari, District- East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh
For the Respondent/s : Mr. Prabhakar Jha (Gp27)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2024 Heard learned counsel for the parties.

2. The present writ application has been filed for the
following relief(s):-

*“ (i) To direct the respondent authority to
pay the salary of the petitioner since
February, 2023 to till date.
(ii) To further direct the respondent
authority not to disturbed the petitioner*



*discharging her duty as a Block Teacher in
Kanya Middle School, Sevashram Patori,
Block Sattar Kattaiya, Dist.- Saharsa.”*

3. Learned counsel for the petitioner submits that the case of the petitioner are squarely covered by order of this Court as contained in Annexure- P/13 passed in CWJC No. 9440 of 2016.

4. Learned counsel for the petitioner submits that the petitioner was engaged as a daily wager 4th Grade Employee in the year 2002 but even after lapse of 21 years, service of the petitioner is not regularized whereas services of other similar situated persons have been regularized. The respondent University ignoring the claim of the petitioner. He further submits that the respondent no. 8 i.e., Principal, L.N.D. College, Motihari, East Champaran at Motihari has already forwarded the application of the petitioner with a request for regularization of services against post of Sweeper in which the petitioner is working. He further submits that the State of Bihar Litigation Policy is known as Bihar State Litigation Policy, 2011 Rule 4 C (1) of the said policy. If the claim of the petitioner are covered by decision of this Court, the same shall also be considered.

5. Learned counsel for the State and learned counsel for the University submits that they have no objection in the



present case.

6. Having regard to the same, this writ petition stands disposed of with a liberty to the petitioner to file a representation before the respondent no. 5 i.e., Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur within a period of four weeks from today.

7. If such representation is filed within stipulated time, the concerned respondent no. 5 i.e. (Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur) shall examine the same and pass a reasoned & speaking order after hearing the petitioner in accordance with law, within a period of three months, from the date of receipt of production of copy of this order.

8. With above observation and direction, the writ petition stands disposed of.

(Prabhat Kumar Singh, J)

Ranjeet/-

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