

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11905 of 2022

1. Dr. Nikhila Nand Thakur Son of Late Indra Nand Thakur Assistant Professor of Sociology, B.D. College, Patna, P.S.- Gardanibag, District- Patna.
2. Dr. Anand Murti Pandey Son of Late Parmanand Pandey Assistant Professor of Commerce, B.D. College, Patna, presently posted at College of Commerce, Arts, and Science, Patna, P.S.- Patrakar Nagar, Kankerbag, District- Patna.
3. Dr. Binod Kumar Son of Late Ram Raghubir Prasad Sinha Assistant Professor of History, SBAN College, Darhetta Lari, Arwal, Jehanabad, presently posted at B.D. College, Patna, P.S.- Gardanibag, District- Patna.
4. Dr. Krishna Bhushan Padmadeo Son of Padmadeo Narayan Sharma Assistant Professor of Commerce, SBAN College, Darhetta Lari, Arwal, Jehanabad, presently posted at College of Commerce and Arts and Science, Patna, P.S.- Patrakar Nagar, Kankerbag, District- Patna.
5. Dr. Shree Niwas Pandey Son of Late Kailash Pandey Assistant Professor of Commerce, SBAN College, Darhetta Lari, Arwal, Jehanabad, presently posted at B.D. College, Patna, P.S.- Gardanibag, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Government of Bihar.
2. The Vice-Chancellor, Magadh University, Bodh Gaya, P.S.- Magadh University, District- Gaya.
3. The Registrar, Magadh University, Bodh Gaya, P.S.- Magadh University, District- Gaya.
4. The Vice-Chancellor, Patliputra University, Patna, P.S.- Patrakar Nagar, Kankerbag, District- Patna.
5. The Registrar, Patliputra University, Patna, P.S.- Patrakar Nagar, Kankerbag, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Ranjan Kumar Jha, Advocate Mr. Subhash Kumar Jha, Advocate
For the State	:	Ms. Binita Singh, SC-28
For Patliputra University:	:	Mr. Rana Vikram, Advocate
For Magadh University	:	Mr. Ajay, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL JUDGMENT

Date : 05-12-2024

Heard learned counsels appearing on behalf of the



parties.

2. This writ application has been filed for commanding the respondents to shift the date of absorption of the petitioners to the date of joining/eligibility rather than from the date of sanction/recommendation of the post, by modifying the Notification as contained in Memo No. GSID/101/2018 dated 13.07.2018.

3. Learned counsel appearing on behalf of the petitioners submits that in this regard, petitioners have already filed a representation before the Vice Chancellor, Magadh University, Bodh Gaya (Respondent No. 2) on 15.09.2019 for modifying the date of absorption with effect from date of joining/date of eligibility, as has been done in the case of some of the teaching employees (including one Upendra Roy of S.B.A.N. College, Darhetta Lari, Arwal, Jehanabad) of 4th Phase constituent college in light of order of this Hon'ble Court passed in *C.W.J.C. No. 21232 of 2014* dated 23.06.2015.

4. Learned counsel appearing on behalf of the respondents are not in a position to dispute the contentions raised on behalf of the petitioners.

5. In view of the aforesaid facts and circumstances of the case, this writ application is disposed of with direction to the



petitioners to file fresh detailed representation before the Vice Chancellor, Patliputra University, Patna (Respondent No. 4) along with all the necessary documents, orders and details in support of their claim within a period of four weeks from today.

6. In the event the petitioners file their representation within the stipulated period, the Vice Chancellor, Patliputra University, Patna (Respondent No. 4) shall dispose of the same in light of the previous decision of this Hon’ble Court passed vide order dated 23.06.2015 in *C.W.J.C. No. 21232 of 2014*, which has also been affirmed vide order dated 25.07.2016 passed in *L.P.A. No. 218 of 2016* and order passed by the Department of Education vide Memo No. 15/C.-2-90/2020-1532 dated 16.06.2022, in accordance with law, after hearing the parties, by a reasoned and speaking order, preferably within a period of six months from the date of filing of the representation.

(Prabhat Kumar Singh, J)

shashank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.12.2024
Transmission Date	NA

