

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4061 of 2017

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1. Santosh Kumar Son of Ram Dayal Singh, resident of Village- Sundarpur Ratwara, P.S.- Piar, District- Muzaffarpur.
 2. Shashi Bhushan Kumar Rai, Son of Sri Jagdish Rai, resident of Village- Harpur Pusa, P.S.- Pusa, District- Samastipur.
 3. Jeetendra Kumar, Son of Sri Devji Poddar, Resident of Village- Mahamda, P.S.- Pusa, District- Samastipur.
 4. Om Prakash Singh, Son of Sri Ramanand Singh. resident of Village- Rasalpur, P.O.- Bhagwat, P.S.- Ranipur, District- Mau U.P..

... .. Petitioner/s

Versus

1. Dr. Rajendra Prasad Central Agricultural University , Bihar, Pusa , Samastipur through its Registrar having Office at PUSA, Samastipur
2. The Vice-Chancellor, Dr. Rajendra Prasad Central Agricultural University, Bihar Pusa, Samastipur.
3. The Director Administration, Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gajanan Arun

For the Respondent/s : Mr.Chandra Mohan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 24-09-2024 1. The petitioners have filed the present writ application for a direction to the University to absorb the services of the petitioners in regular establishment of the University on the ground that petitioners were appointed on contractual basis in the year 2007 as Computer Operator and have continued to work in services of the University.
2. Learned counsel for the petitioner submits that Dr. Rajendra



Prasad Central Agricultural University, PUSA invited application in the year 2006 for appointment on temporary and contractual basis for a period of six months in Krishi Vigyan Kendra of the University for various posts including Computer Operator for the monthly emolument of Rs. 3500/-. In pursuance thereof the petitioners made their application and after following the process of selection by the Selection Committee the petitioners were appointed vide letter dated 25.01.2007 as Computer Operator on contractual basis for a period of six months with effect from the date of their joining on a monthly emolument of Rs. 3500/- in Krishi Vigyan Kendra (in short 'KVK'). The petitioners have continued to work but the respondent-authorities are not considering the claim of absorption in terms of the the judgment passed in the case of State of Karnataka *versus* Uma Devi reported in (2006) 4 SCC 1 and State of Karnataka *versus* M L Kesari (2010) 9 SCC 247.

3. On the other hand, learned counsel for the University submits that petitioners were engaged as Computer Operator in different KVK under the scheme of the Indian Council of Agricultural Research by the erstwhile Dr. Rajendra Prasad Central Agricultural University, PUSA on purely temporary and contractual basis through the Director, Extension Education for



a period of six months with effect from the date of joining.

4. The appointment made on contractual basis was under planned scheme on temporary basis and not against sanctioned post created for the University.

5. The appointment of the petitioners was not made as per the recruitment rules for appointment in the Central University on the vacant sanctioned post. The appointment was purely temporary in nature for six months which was under a scheme which was extended from time to time.

6. The terms of appointment clearly states that appointment has been made on purely contractual basis for six months and shall be terminated after six months.

7. I have heard learned counsel for the parties. The appointment of the petitioners was purely on temporary basis under the scheme of ICAR for six months. The petitioners have not come out with a case that their appointment was made by the University on the vacant sanctioned post. No scheme of the University for absorption and / or regularization and any Rule or Circular have been brought on record by the petitioners for the purpose of regularization.

8. In view of the fact that appointment was purely on contractual basis for six months under the scheme, I do not find



any merit in this application. The same is dismissed.

(Anil Kumar Sinha, J)

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