

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18618 of 2024

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Shobhalal Bansphor Son of Late Nagina Bansphor Resident of Village- Mane,
Police Station- Ekma, District- Saran ... Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Higher Education Department, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Higher Education Department, Government of Bihar, New Secretariat, Patna.
3. The Secretary, Higher Education Department, Government of Bihar, New Secretariat, Patna.
4. The Vice Chancellor, Jai Prakash University, Chhapra, Saran.
5. The Registrar, Jai Prakash University, Chapra, Saran.
6. The Finance Officer, Jai Prakash University, Chhapra, Saran.
7. The Principal, Nandlal Singh College, Jaitpur-Daudpur, Post Office-Daudpur, District- Saran.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Munna Kumar Upadhyay, Advocate
For the Respondent/s	:	Mr.Arvind Ujjwal, Standing Counsel (4)
For the JPU		Mr. Bindhyachal Rai, Chandan Kumar, Advocates

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioner and the State.

2. Writ petition has been filed for following relief:-

(i) For issuance of writ in the nature of Certiorari for quashing of Letter No. 101-L.O. dated 27.01.2018 whereby and where under the appointment/ regularisation of the petitioner was denied by the respondent authorities contrary to the law and against the settled cannon of law and justice.

(ii) For issuance of writ in the nature of Mandamus respondent for direction authorities to the for appointment and regularization of the petitioner in accordance with law in the interest of justice.

3. Petitioner was initially appointed on the post of Sweeper, Nandlal Singh College, Jaitpur in Daudpur, Saran vide letter No. 2081 dated 05.12.1979 and subsequently joined the



service as a sweeper in the said college. He received his payment up to August, 1987. Subsequently, petitioner filed C.W.J.C.No. 13403/2011 for regularization of this service in which this Court vide order dated 17.12.2023 directed the authorities of the University to consider petitioner's representation. Thereafter, the Registrar, Jai Prakash University, Chapra examined representation of the petitioner and rejected his claim vide Letter No. 101-L.O. dated 27.01.2018 (annexure P/6 to the writ petition, stating that petitioner's appointment was not against sanctioned post nor by competent authority nor appointment was made in accordance with rule of recruitment. Registrar of the University has further observed that *'petitioner's application dated 7.9.2017 itself suggests that petitioner is not working since 28.7.1987 and he has himself said that he has received salary upto 1987 through SBI branch Ekma, hence there is no due salary or wages.'*

4. Since, learned counsel for the petitioner has not brought on record any document controverting the cause shown in the impugned letter dated 27.1.2018 rejecting petitioner's claim for regularization in service, this Court, finding no merit, dismisses this writ petition, *in limine*.

(Prabhat Kumar Singh, J)

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