

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2434 of 2025

Rajeshwar Roy son of Bhola Roy, resident of B.N.Mandal University, Ward
No. 01. P.O. and District-Madhepura, Pin Code-852113

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education
Department, Bihar, Patna
2. Director, Higher Education, Bihar, Patna
3. B.N. Mandal University, Madhepura through its Registrar
4. Vice Chancellor, B.N. Mandal University, Madhepura
5. Registrar, B.N. Mandal University, Madhepura

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shubham Priyadarshi, Advocate

For the State : Mr. Umesh Narayan Dubey, AC to GP 27

For the University : Mr. Ritesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-02-2025 Heard learned counsel appearing on behalf of the

petitioner, learned counsel for the State and learned counsel for
the University.

2. Petitioner has *inter alia* prayed for following reliefs
in the paragraphs No.1 of the writ petition:-

*(i) Issuance of a direction, order, or writ,
including writ in the nature of certiorari quashing
departmental memo number-1689 29/10/2029 dated
29/10/2024 issued by the Director, Higher Education,
Education Department, by which, inter alia, it was
mentioned that the appointment of the petitioner could
not be approved;*



(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under B.N. Mandal University, Madhepura (hereinafter referred to as "the University") as also the State Government to take steps towards extending all the benefits, including financial progressions under Assured Career Progression/Modified Assured Career Progression Schemes implemented in respect of a person working in the services of the different universities in the State of Bihar and also increments etc., while treating the petitioner to be working notionally against Class-III post in the services of the University w.e.f. 01/05/1992, as had been done in the cases of other similarly situated persons;

(iii) Issuance of a declaration holding that the petitioner is entitled for counting of his services rendered by him between 01/05/1992 till 18/11/2017 for the purposes of increment, admissibility of benefits under Assured Career Progression Scheme/Modified Career Progression Scheme and other consequential benefits;

(iv) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to make payment of actual arrears of salary as well as current salary as admissible in favour of the petitioner upon being extended the benefits of counting of his services rendered by him for the period between 01/05/1992 till 18/11/2017 for the purposes of computation of increments, promotion, etc.

(v) Any other reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.

3. Learned counsel appearing on behalf of petitioner



informs that petitioner was already given permanent employment on 17.11.2017, however, for the relief as prayed for in the present writ petition, petitioner seeks to file a detailed representation before the Vice Chancellor of the University in light of the order of the Apex Court passed in the case of **Jaggo Vs. Union of India & Ors. [Civil Appeal No. of 2024, Arising out of SLP (C) No.5580 of 2024]** and in the case of **Shripal and Anr. Vs. Nagar Nigam, Ghaziabad (Civil Appeal No.8157 of 2024.**

4. The Vice Chancellor is directed to call for all the particulars relating to the petitioner and examine the case and submit a report before the Additional Chief Secretary, Education Department, Government of Bihar for doing the needful in the case of the petitioner, who has been harassed time and again to approach this Court.

5. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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