

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.89 of 2023

In
Civil Writ Jurisdiction Case No.14933 of 2022

-
1. Pankaj Kumar @ Pankaj Das Son of Rasho Das, R/o Village - Bichhi, Post - Bichhi Chanchar, P.S. - Tetiya Bambar, District - Munger.
 2. Manoj Kumar, Son of Bhagwan Prasad Yadav, R/o Village - Hajisujan, P.S. - Kotwali, District - Munger.
 3. Nandan Kumar Thakur, Son of Mritunjay Thakur, R/o village and Post Rangra, P.S. - Rangra Chowk, District - Bhagalpur.
 4. Ajay Kumar, son of Shyam Prasad Yadav, R/o Sandalpur Durgasthan, P.S. Kasim Bazar, District - Munger.
 5. Anil Kumar, Son of Surendra Mandal, R/o Vhhoti Andalpur, P.S. Kasim Bazar, District - Munger.
 6. Surendra Ram, Son of Dev Nandan Ram, R/o Village - Sikandarpur, Near Dr. S.P. Shinha, Post - Jamalput, P.S. - East Colony, District - Munger.
 7. Ajay Kumar Son of Mahesh Pandit, R/o Village - Rangra, Post - Rangra, P.S.- Rangra Chowk, District- Bhagalpur.
 8. Ajay Kumar Yadav, Son of Bli Prasad Yadav, R/o Village - Shankarpur, P.S. - Muffasil, District - Munger.
 9. Shankar Mandal, Son of Savad Mandal, R/o Village - Chandanpura, Jamalpur, P.S. Naya Ramnagar, District - Munger.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Education Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Higher Education, Govt. of Bihar, Patna.
4. The Vice - Chancellor, Munger University, Munger.
5. The Registrar Munger University, Munger.
6. The Principal, U.R. College, Rosera, Samastipur.
7. Rocket Kumar Son of Bhaglu Prasad Yadav R/o Village - Shankarpur, Ward No. 10, P.S. Muffasil- Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Brij Mohan Kumar, Advocate
For the Opposite Party/s :	Mr. Sarvesh Kumar Singh (AAG-13)
For Munger University :	Dr. Anand Kumar, Advocate
	Mr. Rajan Prakash, Advocate



CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 24-07-2025

Heard the parties.

2. The review petition claimed before this Court in
C.W.J.C. No.14933 of 2022 for the following reliefs :-

*i) Whether the respondents are not bound to
regularize the service of the petitioners on sanctioned and
vacant post of IVth grade in Munger University,
Munger ?*

*(ii) Whether the respondents are not duty bound to
pay the due & regular salary / wages to the poor
petitioners which has been due without any rhyme and
reasons ?*

*iii) Whether the action of the respondents are mala
fide, illegal, arbitrary and against the principles of
natural Justice?*

3. The short facts have to be incorporated inasmuch as
there was :

*(i) country wide lock down due to Covid-19 started on
24th March, 2020 and ended on 31st May, 2020;*

*(ii) no one save and except, the emergency services
were allowed to venture out on the road during the said period;*

(iii) at the same time, the Registrar, Munger



University, came forward and on his own, issued the letter No.1475 of 2020 deputing the petitioners as guard/sweeper/Gardener;

(iv) it has to be noted that the letter itself shows that it was a deputation and not an appointment;

4. The persons, who were deputed by the Registrar, Munger University, preferred C.W.J.C. No.14933 of 2022 (Pankaj Kumar @ Panjak Kumar Das and Others v. The State of Bihar and Others). The writ Court (Hon'ble Mr. Justice Sanjeev Prakash Sharma as his lordship then was) took up the matter and after taking note of all the facts including the submissions of the learned counsel representing the Munger University that the Officer (Registrar, Munger University), who committed irregularities has been removed held that this backdoor entry on various posts violates the Article 14 of the Constitution of India and accordingly, the writ petition was dismissed.

5. Aggrieved the present review petition.

6. What the writ Court missed has been taken note of by this Court. It was a simple deputation made by the Registrar, Munger University on his own without any sanction from the Vice-Chancellor of the said University and/or any approval by any Committee/Board. It has to be repeated that the country was



going through complete lock down from 24th March, 2020 and in that background, the said deputation was clearly an illegal act committed by the said Registrar of the Munger University, who as per the writ Court's order, already stands removed.

7. It is ironical that the University only stopped after removing him and did not took any civil/criminal action against such act of the then Registrar of the Munger University.

8. Be that as it may, in view of the facts that has been incorporated above, the petitioners having failed to show any document to prove their *bona fide* as to how they were deputed and/or came into the University, in that background, no relief can be extended nor any interference is required in the writ Court's order.

9. The review petition is dismissed with a cost of Rs.500/- each to the individual petitioner's totaling Rs.5000/- to be paid in favor of the Registrar, Munger University, by way of Demand Draft and shall be used exclusively for putting up flower pots in the campus. Failure to pay the amount, the same be realized in accordance with law.

(Rajiv Roy, J)

sharun/-

U			
---	--	--	--

