

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12148 of 2021

Radhe Shyam Singh Son of Late Laxmi Narayan Singh Night Guard M.J.M.
Mahila College, Katihar, P.S.- Katihar Town, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Principal Secretary Education Department, Bihar, Patna.
3. The Director Higher Education, Education Department, Bihar, Patna.
4. The B.N. Mandal University Through its Registrar, Lalu Nagar, Madhepura.
5. The Vice Chancellor B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Registrar B.N. Mandal University, Lalu Nagar, Madhepura.
7. The Principal M.J.M. Mahilla College, Katihar.
8. The Purnea University through its Registrar, Purnea.
9. The Vice Chancellor, Purnea University, Purnea.
10. The Registrar, Purnea University, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kr. Jha, Advocate
		Mr. S. Tiwary, Advocate
		Mr. Pranav Kumar Jha, Advocate
For the University	:	Mr. Apurva Kumar, Advocate
For the State	:	SC 28

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 26-06-2025 At the outset, learned counsel appearing on behalf of petitioner seeks to implead the Purnea University, Purnea; the Vice Chancellor, Purnea University, Purnea and the Registrar, Purnea University, Purnea as respondent nos.8, 9 and 10 in



course of the day.

2. He is permitted to do so.

3. Heard Mr. Subodh Kr. Jha, along with Mr. S. Tiwary and Mr. Pranav Kumar Jha, learned counsels appearing on behalf of the petitioner; Mr. Apurva Kumar, learned counsel for the B.N. Mandal University and learned SC 28 appearing on behalf of the State.

4. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, the following relief(s), which is reproduced hereinafter:-

“That this writ application is being filed for issuance of an appropriate writ/writs and order/orders in the nature of mandamus for directing and commanding the Respondents to consider the case of the petitioner for his regularization on the class- IV post of Night Guard in the M.J.M. Mahilla College, Katihar or within Respondent University over which the petitioner is working continuously since 1998 to till date in view of law laid down by the Hon'ble Supreme Court of India, reported in 2015 (2) PLJR 437 (S.C.) (Amarkant Rai Vs The State of Bihar and others) and 2019(4) S.C.C. Page-290 and further to pay the fixed wages, since January 2006 to till date, which has been withheld by the Respondents since December 2005 and further for any other relief or reliefs for which the petitioner is entitled in the facts and circumstances of the instant case.”

5. Learned counsel appearing on behalf of petitioner seeks to file representation before the Registrar of the University for redressal of the grievance(s) of the petitioner, as prayed for in the present writ petition.

6. Considering the law laid down by the Apex Court



in the case of ***Jaggo Vs. Union of India & Ors. (SLP (C) No. 5580 of 2024)***, reiterating the law laid down in ***Vinod Kumar and Ors. Etc. Vs. Union of India & Ors., reported in (2024) 1 S.C.R. 1230*** and in ***Shripal & Anr. vs. Nagar Nigam, Ghaziabad (Civil Appeal Nos. 8158-8179 of 2024)***, I find that the petitioner, who has been engaged on the Class – IV post of Night Guard in the M.J.M. Mahilla College, Katihar on temporary basis and working continuously since 1998 till date, has to be considered for regularization, if the post is sanctioned or vacant on which the work is being taken from the petitioner.

7. The Registrar of the University shall consider the case of the petitioner for regularization in light law laid down by the Apex Court in cases of ***Jaggo (Supra)***, ***Vinod Kumar (Supra)*** and ***Shripal (Supra)*** expeditiously, preferably, well within a period of six weeks from the date of communication of this order.

8. It is made clear that B.N. Mandal University has been bifurcated and Purnea University has been created in respect of M.J.M. Mahila College, Katihar.

9. The Registrar of the Purnea University is directed to call for all the service particulars of the petitioner from the date when the University came into existence and before that



the date the B.N. Mandal University is duty bound to give the requisite information relating to the petitioner.

10. Accordingly, the present writ petition disposed of

(Purnendu Singh, J)

Ashishsingh/-

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