

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15739 of 2016

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Ashesh Kumar Chaudhary Son of late Dr. Vishudhanand Chaudhary, Resident
of Village- Nehra, P.O.- Nehra, P.S.- Manigachi, District- Darbhanga.

... .. Petitioner/s

Versus

1. Lalit Narayan Mithila University
2. The Vice- Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga.
3. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga. null null
4. The Head of the P.G Department, Home Science, Lalit Narayan Mithila
University, Kameshwar Nagar, Da
5. The State of Bihar through Principal Secretary, Human Resources
Development Department, Bihar, Patn

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dharendra Nath Jha, Advocate
For the Respondent/s	:	Mr. Vvinay Kumar Mishra, A.C. to AAG-15.
For the University	:	Mr. Iqbal Asif Niazi, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

12 17-11-2025 Heard learned counsel for the petitioner, learned
counsel appearing for the State as well as learned counsel for
the University.

2. The petitioner submits that in the present writ
application, the petitioner is claiming relief of
regularization/absorption in service.

3. On specific query made by the Court as to whether
on the date of filing of the writ application, the petitioner was in
service, meaning thereby whether the contract of employment
was subsisting, learned counsel appearing for the petitioner very



fairly submits that on the date of filing of writ application claiming relief of regularization, the petitioner was not in service, and therefore, no contract of employment was subsisting. It is by now well settled that for claiming relief of regularization/ absorption, the contract of employment must subsist. The present writ application, is therefore, dismissed as not maintainable for claiming relief of regularization because on the date of filing the writ application the petitioner was not in service.

(Alok Kumar Sinha, J)

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