

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5095 of 2017

Dr. Arvind Prasad Son of Shri Paras Nath Prasad Resident of Mithanpura Jagdishpuri, Lane No. 3, P.O.- Ramna, P.S.- Mithanpura, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. B.R. Ambedkar Bihar University, Muzaffarpur through its Registrar.
3. The Vice Chancellor, B.R. Ambedkar University, Muzaffarpur.
4. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur.
5. Virchand Patel Smarak Mahavidyalaya, Desari, District Vaishali through the Secretary of its Govern
6. Secretary, Governing, Body, Virchand Patem Smarak Mahavidyalaya, Desarai, District- Vaishali.
7. Principal, Virchand Patem Smarak Mahavidyalaya, Desarai, District- Vaishali.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 5095 of 2017)

For the Petitioner/s : Mr. Abhinav Srivastava, Sr. Adv.

Ms. Shreyashi Raj, Adv.

For the Respondent/s : Mr. S.C. Mishra, SC-16

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

7 25-11-2025 Heard learned Senior Counsel, Mr. Abhinav

Srivastava assisted by Ms. Shreyashi Raj on behalf of the

petitioner and learned counsel appearing for respondents-State.

2. The petitioner in the present writ application has
prayed for the grant of following reliefs:

“(i) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Virchand Patel Smarak Mahavidyalaya,



Desari, District-Vaishali (hereinafter referred to as "the College") as well as B.R. Ambedkar Bihar University, Muzaffarpur (hereinafter referred to as "the University") to take steps towards placing the matter of the petitioner before the Selection Committee for recommendation for regularization /validation of his services against the post of Assistant Professor in Psychology in the services of the College as per the provisions contained under section 57A (6) of the Bihar State Universities Act;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the College as well as University to take steps towards regularizing the services of the petitioner against the post of Assistant Professor in Psychology at the College while taking into account the services rendered by the petitioner ever since his initial appointment and joining against the post of Lecturer in Psychology at the College;

(iii) Issuance of a declaration holding that the petitioner is entitled for being considered for recommendation by the Selection Committee constituted in terms of the provisions contained under section 57A (6) of the Bihar State Universities Act for recommendation of his case for regularisation of his services against the post of Lecturer in Psychology at the College on the basis of his initial appointment against the said post by the Governing Body/Ad hoc Committee of the College in accordance with law;

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



3. Learned Senior Counsel appearing for the petitioner submits that the grievance of the petitioner has already been redressed and this fact is also admitted by respondent no.2 to 4 in paragraph-6 & 7 of their counter affidavit.

“6. That it is submitted that on the recommendations of the Selection Committee for regularization of services of the teachers, the appointment of the petitioner Dr. Arvind Prasad has been approved by the Syndicate at its meeting dated 30.03.2017 duly notified Office-Order as contained in Memo No. B/698 dated 31.08.2017.

True copy of the Memo No. B/698 dated 31.08.2017 is being Annexed herewith and is marked as Annexure - R/1 which forms part of this counter affidavit.

7. That it is humbly submitted that the grievance of the petitioner has been adequately redressed, therefore, it is most respectfully prayed that the Hon'ble Court be pleased to dispose of the present proceedings.”

4. Learned Senior Counsel, therefore, submits that the present writ application may be disposed of in light of the fact that the grievance of the petitioner has been redressed with a direction to the University and the College to grant the consequential benefits, including regularization pursuant to Office Order contained in Memo No.B/698 dated 31.08.2017.

5. Learned counsel appearing for respondents-State does not oppose the above factual position.



6. In view of the fact that the grievance of the petitioner has already been redressed, a fact which is also stated by respondent no.2 to 4 in paragraph-6 & 7 of this counter affidavit, which has been quoted herein above, this writ application is disposed of with a direction to the respondent College and the University to grant consequential benefits to the petitioner including regularization in light of Office Order as contained in Memo No.B/698 dated 31.08.2017. It is expected that the benefits should will be granted to the petitioner within a period of one month from the date of production of a copy of this order.

7. Writ petition is accordingly allowed in the aforesaid terms and conditions.

(Alok Kumar Sinha, J)

Prakash Narayan

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