

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9284 of 2022**

Uma Kant Ray son of late Nandipat Ray @ Nanipat Ray resident of village  
Rajopatti, P.S. and Dist. Sitamarhi

... .. Petitioner/s

Versus

1. B.R.A. Bihar University Muzaffarpur through its Registrar
2. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur
3. The Registrar, B.R.A. Bihar University, Muzaffarpur
4. The Principal, Ram Sewak Singh Mahila Mahavidyalaya, Sitamarhi
5. The State of Bihar through the Principal Secretary, Education Department,  
Government of Bihar, Patna

... .. Respondent/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr.Vaidehi Raman Prasad Singh, Adv. |
| For the State        | : | Mr. Umesh Narain Dubey, AC to GP 27 |
| For the University   | : | Mr. Anil Singh, Adv.                |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL JUDGMENT**

**Date : 25-07-2025**

Heard Mr. Vaidehi Raman Prasad Singh, learned Advocate for the petitioner and Mr. Anil Singh, learned Advocate for the University. The State is represented through Mr. Umesh Narayan Dubey, learned Advocate.

2. The petitioner was duly appointed as a Driver on temporary basis by the then Secretary of the Governing Body of Ram Sewak Singh Mahila Mahavidyalaya, Sitamarhi on 20.03.1977 and submitted his joining in the College on 28.03.1977; subsequently the College in question was taken over and became a constituent unit of the B.R.A. Bihar



University, Muzaffarpur. The service of the petitioner, in the light of the resolution of the Syndicate of the University, has been regularized vide Annexure-1 to the writ petition under Mmeo No. B/1794 dated 26.08.2006. The petitioner continued to work in the College and finally superannuated on 31.01.2014.

3. On being aggrieved with the action of the respondent University in not extending the post retiral benefits and other dues, the petitioner has approached this Court by filing the present writ petition.

4. Learned Advocate for the petitioner specifically contended that the order of regularization clearly suggests that those employees, who had been working in the College in question prior to 10.05.1986, they have been regularized and the petitioner was one of them, who was also regularized against Class IV post of Peon. He further submits that identically situated persons have approached this Court in CWJC No. 4986 of 2023 and CWJC No. 13586 of 2023 which came to be allowed by order and judgment of this Court dated 06.08.2024 directing the respondents to ensure fixation of pension/family pension and other terminal dues by treating the services of the erstwhile employees from their respective date of initial appointment.



5. Mr. Anil Singh, learned Advocate for the University submits that from the order of regularization, there is no iota of confusion that his services were regularized with immediate effect. This fact has also been admitted by the petitioner, as is evident from his representation, copy of which is marked as Anneuxre-7. However, he fairly submitted that the University while filing the counter affidavit has come out with the stand that the identical issue is pending in CWJC No. 4986 of 2023 and, thus, a decision with respect to the petitioner shall be taken up after disposal of the afore noted writ petition.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the fact that the afore noted writ petition bearing CWJC No. 4986 of 2023 with CWJC No. 13586 of 2023 came to be disposed off by this Court on 06.08.2024, the present writ petition stands disposed of with a direction to the Registrar, B.R.A. Bihar University, Muzffarpur to consider the claim of the petitioner in the light of the decision taken by this Court afore noted, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

7. Suffice it to observe that in case, the case of the petitioner stands on similar footing to those of Pinki Devi and



Punam Devi, the identical relief must be accorded to the petitioner.

8. The writ petition stands disposed of.

**(Harish Kumar, J)**

Anjani/-

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