

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14239 of 2021

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Rajeshwar Prasad Singh Son of Late Ram Aekwal Singh, Ward No. 5, near High School, Daralpur, Sapha, P.O. - Dayalpur, P.S. - Raja Pakar, Vaishali - 844502, Bihar.

... .. 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 B.R.A. Bihar University through the Registrar, Muzaffarpur.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
5. The Principal, B.M.D. College, Dayalpur, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the State	:	Mr. Madhaw Pd. Yadaw (Gp23)
		Ms. Meera Singh, AC to GP 23
For the University	:	Mr. Indrajesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 01-08-2025 Heard Mr. Ashok Kumar, learned counsel appearing on behalf of the petitioner; Mr. Madhaw Pd. Yadaw, learned GP23 along with Ms. Meera Singh, learned AC to GP 23 for the State and Mr. Indrajesh Kumar, learned counsel for the University.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“(I) For the issuance of a writ in the nature of writ or Mandamus or any other appropriate writ or order or direction, commanding the respondent authorities to regularize the services of the petitioner in terms of the relevant University notification with effect from the date on which vacancy occurred on the class III post in the



respondent college and pay all the consequential reliefs to the petitioner pursuant thereto.

(ii) For the issuance of a writ in the nature of writ of Mandamus or any other appropriate writ or order or direction, commanding the respondent authorities to grant the scale of sorter (in the scale of Rs.4000-6000) with effect from the date of first vacancy on the class III post i.e. with effect from 01.06.1998 and other consequential scale admissible to the petitioner pursuant to such regularization.

(iii) For any other relief to which the petitioner may be found entitled.”

3. Learned counsel appearing on behalf of petitioner seeks to file a detailed representation before the Vice-Chancellor of the University for considering the case of the petitioner to absorb him by adopting the resolution of the State Government contained in Memo No.989 dated 10.05.1991, as the petitioner had worked but he could not be regularized, preventing him from the regular salary paid to the employees of the University for the post of Sorter in the library of the college, namely, B.M.D. College, Dayalpur, Vaishali. Learned counsel further submitted that he may be allowed to place all the relevant law laid down by the Apex Court as recent as in case of ***Jaggo Vs. Union of India & Ors. (SLP (C) No. 5580 of 2024); Vinod Kumar and Ors. Etc. Vs. Union of India & Ors.***, reported in ***(2024) 1 S.C.R. 1230*** and ***Shripal & Anr. vs. Nagar Nigam, Ghaziabad (Civil Appeal Nos. 8158-8179 of 2024).***

4. Considering the aforesaid submission made on behalf of petitioner, if so advised, may file a detailed



representation before the Vice-Chancellor of the University, who shall dispose of the representation of the petitioner, well within a period of six weeks and make payment of the due salary to the petitioner in accordance with law, after considering the case of the petitioner in light of the resolution of the State Government contained in Memo No.989 dated 10.05.1991.

5. The writ petition stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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