

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14035 of 2021

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Jainarayan Prasad Son of Late Ramyad Prasad Yadav Resident of Village-
Piparpati, Police Station- Mainatand, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
2. The Additional Chief Secretary Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
3. The Director, Higher Education Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
4. The Babasaheb Bhimrao Ambedkar Bihar University Muzaffarpur, Bihar through the Vice Chancellor.
5. The Vice Chancellor Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
6. The Registrar Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
7. The Finance Officer Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
8. The Principal Ramlakhan Singh Yadav College, Bettiah.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14738 of 2021

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Prem Shila Kuvar Wife of Late Ram Ayodhya Prasad Resident of Village-
Machhargahwan, Police Station-Potwa, Post Office-Dariyapur. District-East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
4. The Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur, Bihar through the Vice Chancellor.
5. The Vice Chancellor, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur,
6. The Registrar, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur,



7. The Principal, Ramlakhan Singh Yadav College, Bettiah

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 14035 of 2021)

For the Petitioner/s : Mr. Sanjeet Kumar, Advocate

For the Respondent/s : Mr. Prabhakar Jha, (GP 27)

(In Civil Writ Jurisdiction Case No. 14738 of 2021)

For the Petitioner/s : Mr. Sanjeet Kumar, Advocate

For the Respondent/s : Mr. Madanjeet Kumar, (GP 20)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-03-2025 Heard Mr. Sanjeet Kumar, learned counsel

appearing on behalf of the petitioners and Mr. Prabhakar Jha,

learned GP 27 for the State.

2. The petitioners in paragraph no. 1 of the present writ petition have sought inter alia the following relief(s), which is reproduced hereinafter:-

“That the present writ application is being filed for issuance of appropriate writ/writs, order/orders, direction/directions to the respondent authorities to shift the date of absorption of the petitioner with effect from 04.11.1983 against sanctioned and vacant post of Lab-In charge in Class-III category, in the constituent college namely Ramlakhan Singh Yadav College Bettiah (Herein after to be referred as "College"), as per the direction of the Hon'ble S. B. Sinha Commission and Hon'ble Supreme Court of India. The university has absorbed/regularized the service of the petitioner with effect from 13.05.2016 vide office order contained in memo no. B/1002 dated 08.08.2018 issued under the signature of the Registrar, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur (herein after to be referred as "university") with a note that the service from 19.05.1987 (Conversion of the College) to 12.05.2016 will be counted as notional for post retiral & other benefits, without any rational or



reasonable reason.

The Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur (herein after to be referred as "university") in the case of similarly situated person has corrected its mistake but sitting tight over the matter in the case of present petitioner for the reason best known to them. The details of the similarly situated persons are being stated in subsequent paragraph of the present writ petition."

3. Learned counsel appearing on behalf of the petitioners seeks to pursue remedy before the Registrar of the Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur for the relief(s), as prayed for in the present writ petition, in light of law laid down by the Apex Court in the case of ***Secretary State of Karnataka & Ors. vs. Umadevi & Others reported in (2006) 4 SCC 1***, and recent 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)***.

4. The authority concerned is directed to consider the case of the petitioners in light of the aforesaid judgments of the Hon'ble Supreme Court and redress the grievance(s) of the petitioners, as prayed for in the present writ petition, expeditiously, in accordance with law.



5. Accordingly, the present writ petition disposed of

(Purnendu Singh, J)

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