

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15744 of 2021

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Gopi Chandra Thakur Son of Ruplal Thakur Resident of Mohalla Kasera Pokhar, Ward No. 4, Madhubani, P.S. - Madhubani town, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Department, Government of Bihar, Patna.
2. The Lalit Narayan Mithila University through Registrar Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga.
3. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Principal, R.K. College, Madhubani, District Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Jha, Advocate
For the Respondent/s	:	Mr. Amit Bhushan, (AC to GP17)
For the LMNU	:	Mr. Shailesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 01-07-2025 Heard Mr. Subhash Kumar Jha, learned counsel appearing on behalf of the petitioner; Mr. Amit Bhushan , learned AC to GP17 for the State and Mr. Shailesh Kumar, learned counsel appearing on behalf of the Lalit Narayan Mithila University.

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

“1. That the present application is being filed for issuance a writ in the nature of mandamus to command the respondents



authorities to consider to regularize the service of the petitioner as a 4th grade employee considering his more than Ten years Service as a Daily Wages Employee under the University as claim of similar situated person has been considered and pleased to direct the respondents authorities regularization consequential to benefits to give to after the the petitioner accordingly, emerged from his service.”

3. Learned counsel appearing on behalf of the petitioner seeks to withdraw the present writ petition to pursue remedy before the Registrar of the University to consider the case of the petitioner in light of 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. I have perused the counter affidavit. The main ground of rejection of the regular service of the petitioner is on the basis of law laid down by the Apex Court in case of ***Secretary State of Karnataka & Ors. vs. Umadevi & Others*** reported in ***(2006) 4 SCC 1*** and ***State Of Karnataka & Ors vs M.L. Kesari & Ors*** reported in ***2010(9) SCC 247***. The Apex Court in above judgments has considered its previous judgments.

5. Instead of passing the order on merits, I direct the



authority concerned to consider the claim of the petitioner in light of the aforesaid judgments of the Hon'ble Supreme Court and redress the grievance(s) of the petitioner, as prayed for in the present writ petition, expeditiously, if he is entitled to, in accordance with law and pass a reasoned order.

6. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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