

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19508 of 2025

1. Subhash Chandra Bhaskar Son of Late Sukhnandan Prasad, Resident of Mohalla- Ratanpura, Police Station- Bhagwan Bazar, District - Saran at Chapra.
2. Sujit Kumar Prabhat, Son of Prabhat Kumar Singh, Resident of Village- Khalpura, Police Station - Doriganj, District- Saran at Chapra.
3. Pramod Ranjan Srivastava, Son of Jai Prakash Srivastava, Resident of Village and Post- Nandpur, Police Station- Manjhi, District- Saran at Chapra.
4. Om Prakash Srivastava, Son of Late Mankeshwar Prasad, Resident of Village- Mahicha, Police Station- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Jai Prakash University, Chapra through its Registrar.
5. The Vice Chancellor, Jai Prakash University, Chapra.
6. The Registrar, Jai Prakash University at Chapra.
7. The Principal, Jai Prakash Mahila College, Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Gyan Prakash, Advocate Ms. Parul Priya, Advocate
For J.P.U.	:	Mr. Bindhyachal Rai, Advocate
For the State	:	Mr. Vivek Prasad, GP-7. Mr. Aman Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioners, learned counsel for J.P. University and learned counsel for the respondent-State.

2. With the consent of the parties, this writ application



is disposed of at this stage itself.

3. The petitioners in the writ application has prayed for grant of following reliefs :-

(i) For issuance of a writ in the nature of mandamus commanding the concern respondent authorities of the Jai Prakash University to take steps towards making payment of arrears of salary of the petitioners since January 2011 of contractual Class III and IV employees in pursuance of the decision of the Syndicate of the University dated 29.05.2010.

(ii) For issuance of a writ in the nature of mandamus commanding the Principal of the Jai Prakash Mahila College, Chapra for making payment of petitioner's salary on a regular and monthly basis.

(iii) For issuance of direction(s)/order(s) upon the concern authorities of the Jai Prakash University to perform its public duty and to not discriminate the case of the petitioners with those similarly appointed employees alongwith the petitioners by the same authority in same manner on the same date as the same is arbitrary, mala fide and in violation of Article 14 and 16 of the Constitution of India.

(iv) For direction(s) / order(s) upon the concern authorities of the Jai Prakash University to take steps towards regularise the service of the petitioners as Class III and IV employees as they had been appointed against sanctioned and vacant posts having requisite educational qualification for the posts and Syndicate of the Jai Prakash University considering all these factual aspect confirmed their contracted employment and further regularization of petitioner's services come under consideration as services the three contractual employees appointed alongwith the petitioners had already been regularised by the authorities if the Jai Prakash University.



(v) For holding that the petitioners cannot be deprived of their salary etc on any ground whatsoever in as much as the posts on which the petitioners were appointed in the year 2008 and working since then were sanctioned and created with the approval of the State Government much prior to the appointment of the petitioners, Syndicate had approved the status of their contracted employment. The State Government having been promptly informed about the working of the petitioners as such while sending the Budgeted Demand of salary and other allowances in 2011-12 and 2012-13 wherein it is clearly written that it includes only those non teaching Class III and Class IV employees who were/ are working against pre approval legal sectioned posts. Even on perusal of this Budget it appears that various posts of class III and IV of Jai Prakash College are still vacant.

(vi) For any other relief(s) for which the petitioners be found entitled to in the factual matrix and legal aspects of the case.

4. After advancing some argument, learned counsel for the petitioners submits that for claiming of aforesaid relief, the petitioners have filed several representations in the past but the petitioners are once again ready to file detail representation before the Vice-Chancellor of the University. Learned counsel further prays that in case such a representation is filed by the petitioners, appropriate direction be issued to Vice-Chancellor of respondent, J.P. University to dispose of the said representation on merit within a fixed time frame after giving an opportunity of hearing to the petitioners.

5. Learned counsel appearing for the respondent-



University and respondent-State do not have any objection to the above submission made by learned counsel for the petitioners.

6. Considering the limited nature of prayer being made by learned counsel for the petitioners, the present writ application is disposed of granting liberty to the petitioners to file representation before the Vice-Chancellor of the respondent University within one month from the date of passing of the order. If such representation is filed, the same shall be disposed of on merit within four months from the date of filing of the representation after giving an opportunity of hearing to the petitioners.

7. Needless to emphasize that the final order which shall be passed by the Vice-Chancellor of the University should be a reasoned and speaking order.

8. With the aforesaid observation, direction and liberty granted, the present writ application is disposed of.

9. The pending I.A.s. if any, is deemed to have been disposed of.

(Alok Kumar Sinha, J)

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