

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.611 of 2025

1. Bhola Raut Son of Late Jagdhar Raut, Resident of Mohalla- Ward No. 01, Birauli Khurd, District- Samastipur.
2. Ram Naresh Ray Son of Late Yugeshbar Ray, Resident of Mohalla- Ward No. 3, Malinagar, Simri, District- Samastipur.
3. Umesh Prasad Thakur, Son of Late Radheshwar Prasad Thakur, Resident of Mohalla- Simri Gopal, Balha Jainarain, Kalyanpur, District- Samastipur.
4. Ram Badan Ray, Son of Late Mahavir Rai, Resident of Mohalla Ward No. 08, Harpur, Pusa, District- Samastipur.
5. Ram Vinod Pandey Son of Late Ram Prit Pandey, Resident of Mohalla- Ward No. 12, Mahamadpur, Birauli, Birouli Rural Institute, District. Samastipur.
6. Sita Ram Thakur Son of Late Yugeshwar Thakur, Resident of Village- Mahammadpur, Devpar, P.O.- Pusa, District- Samastipur.
7. Baidyanath Mahto, Son of Late Sundar Mahto, Resident of Mohalla- Ward No. 12, Harpur, Pusa, District- Samastipur.
8. Lalan Kumar Choudhary, Son of Late Nakleshwar Chaudhary, New Hostel, near Basic School, RAU, Pusa, District- Samastipur.
9. Satyendra Thakur, Son of Late Saryug Thakur, Resident of Mohalla- Ward No. 03, Malinagar, Simari, Malinagar, District- Samastipur.
10. Jagdish Rai, Son of Late Nathuni Rai, Resident of Mohalla- Ward No. 03, Harpur, Pusa, District- Samastipur.
11. Ram Kumar Sharma, Son of Late Sachidanand Rai, Resident of Mohalla- Ward No. 04, Dighra, District- Samastipur.
12. Suresh Kumar Rai, Son of Late Daroga Rai, Resident of Mohalla- Harpur Pusa, Ward No. 8, District- Samastipur.
13. Om Prakash Singh Son of Late Maheshwar Singh, Resident of Mohalla- Kuari, Buiurgh, P.O.- Hajipur, District- Vaishali, PIN-844101.
14. Binod Kumar Mishra Son of Late Yogendra Mishra, Resident of Mohalla- Madhrapur tara, Madhrapur, District- Samastipur.
15. Chandeshwar Rai, Son of Late Janak Rai, Resident of village- Harpur, Pusa, District- Samastipur.
16. Rajeshwar Sharma, Son of Late Bhola Sharma, Resident of Village- Prahladpur, P.S. Mushari, District- Muzaffarpur.
17. Arjun Das, Son of Late Sonelal Das, Resident of Village- Mahmadpur Damodar, District- Muzaffapur.



18. Brahmdeo Mahto, son of Late Ram Surat Mahto, Resident of Village-Shiv Nagar, Ward No. 5, Mali Nagar, District-Samastipur.
19. Achchelal Rai, son of Late Muneshwar Rai, Resident of Village-Harpur, Ward No. 8, Pusa, District-Samastipur.
20. Kameshwar Prasad Thakur, Son of Late Ranjulam Prasad Thakur, Resident of Mohalla-New D Type, Poultry Farm ke Pass, Pusa, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Agriculture Production Commissioner, Bihar, Patna.
2. The Rajendra Agricultural University Pusa, Samastipur now Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur through its Registrar.
3. The Vice Chancellor, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur.
4. The Registrar, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur.
5. The Comptroller, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gajendra Kumar Singh, Advocate
For the Respondent/s	:	Mr. Additional Advocate General (4)
For the University	:	Mr. Kaushal Kumar Jha, Sr. Advocate
		Mr. Amish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 04-09-2025 Learned counsel for the petitioner, learned counsel
for the University and learned counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*“To seek indulgence of this Hon'ble Court to
issuance of an appropriate writ/writs, order/orders,*



direction/directions to commanding the respondents to grant pension and retirement/pensionary benefit to the petitioners of casual/contractual period, when the petitioners had joined in the Rajendra Agricultural University, Pusa, Samastipur as casual/contractual labour till their regularization in the light of Apex Court order passed in Civil Appeal No. 2023 @ SLP (Civil) No. 10399 of 2020 passed on 7th August 2023 - State of Himachal Pradesh & Another Vs. Sheela Devi, whereby and where under the Hon'ble Apex Court has directed to consider and pay to contractual/casual employee since period has been reckon for the purpose of pension.”

3. It is the case of these petitioners that initially their appointment was on casual basis and later on it was regularized and the details of regularization, has also been indicated in the writ petition which is referred from paragraph 4 to 23 and on the basis of such supportive materials, submits that despite regularization having been effected in their favour, the past period rendered on casual basis, has not been considered for the purpose of grant of benefit and in action on the part of the respondents is in the teeth of ratio laid down by Hon'ble Apex Court in the case of State of Madhya Pradesh and Others v. Sheela Devi passed in S.L.P. (C) No.10399 of 2020 and other



connected cases referred in the said judgment.

4. It has next been submitted that there are other judgment which has been rendered by this Hon'ble Court, wherein Hon'ble Full Bench has directed consideration of past services on such terms for which the Department has come out with a circular, which is said to have been approved by the Hon'ble Apex Court.

5. Learned counsel for the State as well as learned counsel for the University submits that the petitioner may be directed to submit an exhaustive representation indicating all such supportive materials, which would be essential for consideration of his claim especially with regard to the periods rendered under contract / casual basis, so that, the final call can be taken by the respondent authorities strictly in consonance with the ratio / dictum of Hon'ble Apex Court and Hon'ble Full Bench decision of Patna High Court.

6. Considering the aforesaid submissions, this Court directs the petitioner to submit an exhaustive representation individually to the Vice Chancellor, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur (respondent No.3) who would be obliged to take a final decision and pass a reasoned and speaking order deciding their claim within eight



weeks from the date of production of copy of this order and if it is found that their claims are genuine and favourable, the authorities are required to extend the benefits within a further period of eight weeks.

7. Accordingly, the writ petition stands disposed off.

(Ajit Kumar, J)

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