

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.8651 of 2008

MD.NASIR AHMAD

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8940 of 2008

BINAY KUMAR SINGH

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8962 of 2008

HIRA THAKUR

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8963 of 2008

UMA SAHANI

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8968 of 2008

SMT.KUSUM KUMARI SHARMA

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8969 of 2008

PREM NATH JHA

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8986 of 2008

RAM DENI YADAV

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8987 of 2008

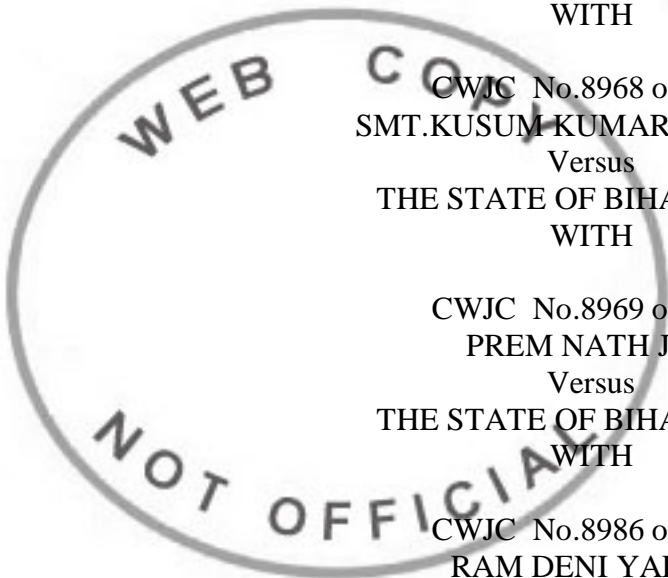
NARAYAN PANDEY

Versus

THE STATE OF BIHAR & ORS

WITH

CWJC No.8988 of 2008



SHAMBHU SARAN PRASAD
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.8990 of 2008
RAVINDRA KUMAR OJHA
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.8996 of 2008
JAI PRAKASH NARAYAN YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9007 of 2008
PYARE LAL PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9008 of 2008
RAVINDRA PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9010 of 2008
SHAMBHU RAUT
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9091 of 2008
GHANSHYAM PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9106 of 2008
AYODHYA YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9118 of 2008
JAI NARAYAN PRASAD
Versus

THE STATE OF BIHAR & ORS
WITH

CWJC No.9120 of 2008
SADHU RAUT
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9143 of 2008
RAMANAND PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9176 of 2008
BINOD KUMAR
Versus
THE STATE OF BIHAR & ORS
WITH

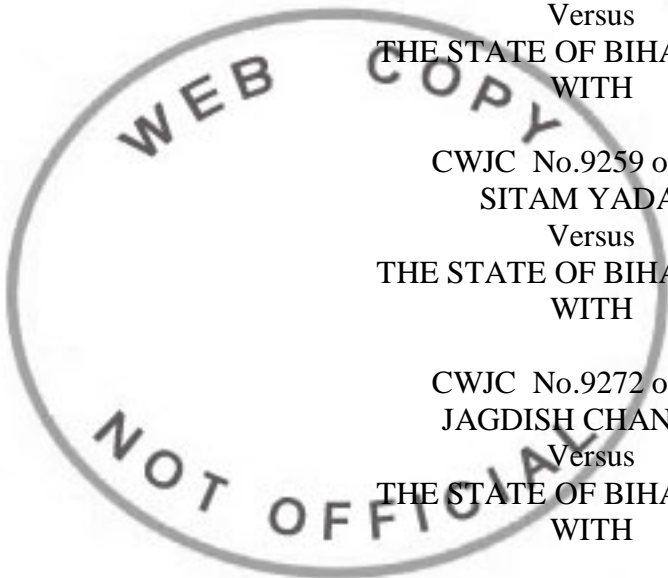
CWJC No.9256 of 2008
BABULAL MAHTO
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9259 of 2008
SITAM YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9272 of 2008
JAGDISH CHANDRA
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9307 of 2008
SANJAY KUMAR & ORS
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9308 of 2008
GHANSHYAM PATI TRIPATHI
Versus
THE STATE OF BIHAR & ORS
WITH



CWJC No.9316 of 2008
DIGVIJAY PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9334 of 2008
SONA DEVI
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9335 of 2008
DR.MOHAMMAD ALI NEYAZI
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9337 of 2008
PRABHAT KUMAR SINGH
Versus
THE STATE OF BIHAR & ORS
WITH

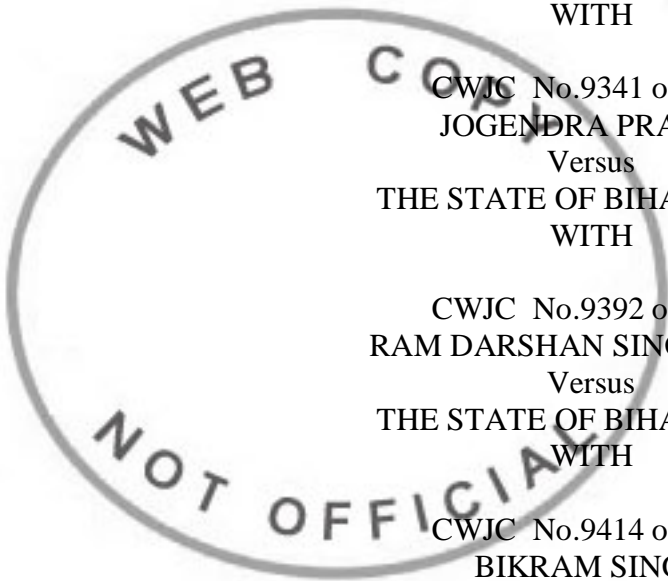
CWJC No.9341 of 2008
JOGENDRA PRASAD
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9392 of 2008
RAM DARSHAN SINGH & ORS
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9414 of 2008
BIKRAM SINGH
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9441 of 2008
RAM VINOD PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9493 of 2008



MD.ASLAM
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9520 of 2008
DR.KIRAN KUMARI
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9713 of 2008
CHANDRA BHUSHAN KUMAR
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9756 of 2008
DR.(SMT.)KILAK KUMARI PATEL
Versus
THE STATE OF BIHAR & ORS
WITH

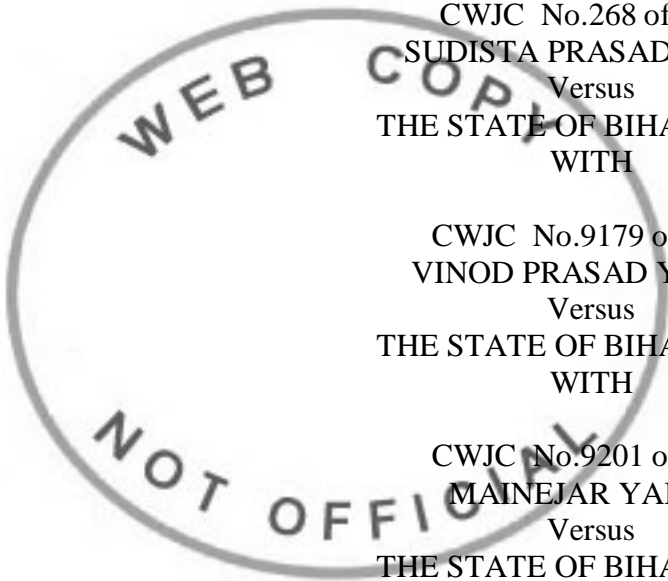
CWJC No.268 of 2006
SUDISTA PRASAD SINGH
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9179 of 2008
VINOD PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9201 of 2008
MAINEJAR YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9202 of 2008
PARMANAND YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9203 of 2008
YOGENDRA RAI
Versus



THE STATE OF BIHAR & ORS
WITH

CWJC No.9211 of 2008
ARVIND NATH PANDEY
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9253 of 2008
YUGESHWAR PRASAD YADAV
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.10871 of 2008
PURUSHOTTAM LAL CHATURVEDI
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.9318 of 2008
SMT.VEENA SINGH & ANR
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.8652 of 2008
RAVI SHANKAR
Versus
THE STATE OF BIHAR & ORS
WITH

CWJC No.10695 of 2008
MD.SAMUILLAH DEORAJI
Versus
THE STATE OF BIHAR & ORS

4. 29.08.2008 Heard learned counsel for the petitioners, for the State as also for Respondent-B.R. Ambedkar Bihar University.

The Syndicate of the University by its resolution after considering the order of the Supreme Court in Civil Appeal No. 6098 of 1996 passed resolution for regularisation/absorption of the petitioners. The

petitioners, thus, acquired the status of permanency as distinct from their earlier precarious position. The Vice Chancellor has now sought to annul this benefit given to the petitioners, visiting them with civil consequences.

It is urged that before the impugned order dated 22.5.2008 came to be passed again referring to the very same order of the Supreme Court in Civil Appeal No. 6098 of 1996, no notice had been issued to the petitioners and they were given no opportunity to present their case. Additionally, the Vice Chancellor was not competent to singularly annul the decision of the Syndicate.

Learned counsel for the University from the counter affidavit found it difficult to satisfy this Court with regard to the compliance of the principles of natural justice.

The writ application has to be allowed on that ground alone. The Court does not consider it proper to make any further observations lest it will prejudice the case of either party at a later stage, in view of the limited ground on which the present application has been allowed. The order dated 22.5.2008 stands quashed.

In CWJC No. 268 of 2006, I.A. No. 4062 of 2008 has been filed bringing on record the order of termination after such absorption. In view of the nature of the order passed and the reasons for which the order has been quashed, this Court does not consider it proper to make any observation with regard to the plea made on behalf of the petitioner in this writ application on the issue of his seniority at this stage.

AKS/

(Navin Sinha, J.)