
(2000) 04 PAT CK 0101
In the Patna High Court
Case No : C.W.J.C. No. 11241 of 1999

Ranjan Kr. Singh and Others	Vs	APPELLANT
The State of Bihar and Others		RESPONDENT

Date of Decision : 17-04-2000

Acts Referred:

Citation : (2000) 3 PLJR 262

Hon'ble Judges : S.J. Mukhopadhyaya, J

Bench : Single Bench

Advocate : Rajendra Pd. Singh, Arvind Kr. Singh, Rajeev Kr. Singh and R.S. Pandey, for the Appellant; J.P. Kishore, for State, B.K. Jha and S.C. Jha for University, for the Respondent

Judgement

S.J. Mukhopadhyaya, J.—Heard the counsel for the parties.

2. As common impugned order dated 30th August, 1999 is under challenge and the matter stands decided by the Court's decision in C.W.J.C. No. 11854/99 Nikhil Kumar Jha and Ors. v. State of Bihar and Ors. and analogous cases disposed of on 28th February, 2000, it is not necessary to discuss all the facts.

3. By the aforesaid order and judgment dated 28th February, 2000, taking into consideration the order passed in the case of Mrs. Sashi Bala Siha in C.W.J.C. No. 8873/99, disposed of on 13th January, 2000, the impugned order dated 30th August, 1999 was set aside having passed without application of mind on presumption that the daily wage employees were not performing duties as because not getting wages.

4. Following the decision in the case of Nikhil Kumar Jha and Ors. (supra), I also set aside the impugned order dated 30th August, 1990 and the consequential orders so far as it relates to the Petitioners.

5. If the University is not in a position to pay the wages to its employees though it is in need of work from the persons appointed against posts within staffing

pattern, they may approach the Secretary, Higher Education for release of appropriate fund in its favour. In such case, if the University approaches the Secretary, Higher Education giving reference of letters by which recommendation made for regularisation of service of daily wage employees, the Secretary, Higher Education will pass appropriate order relating to approval of services of such employees, who are eligible to be regularised and communicate the same to the University within a period of three months from the date of receipt of such requisition.

6. On such decision, the employees in whose favour approval may be granted for regularisation of their services against one or other sanctioned post/deemed sanctioned, the State Government will release appropriate fund for payment of salary in their favour within two months thereof.

7. The University in its turn, will pay the admitted dues to such employees within one month from the date of receipt of fund whose services may be approved.

8. All the writ petitions stand disposed of with the aforesaid observations directions.

9. Let a copy of this order be handed over to the counsel for the University.