

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.170 of 2022

In

Civil Writ Jurisdiction Case No.1098 of 2022

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Jitendra Kumar Singh Son of Late Awadhesh Prasad Singh R/o Nagina Bhawan, Lane No- 1, Salimpur Ahra, P.O. and P.S.- Kadamkuan, District- Patna. At present at Bir Basawan Singh Nagar, P.O.- B.V. College, Near Patliputra Jn. P.S. Rupaspur, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development, Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Vice Chancellor, Patna University, Patna.
4. The Registrar, Patna University, Patna.
5. The Patna University through its Registrar, Ashok Raj Path, Patna.
6. The Vice Chancellor, Patna University, Ashok Raj Path, Patna.
7. The Registrar, Patna University, Ashok Raj Path, Patna.
8. The Director, Post Graduate Diploma Course, Industrial Safety Management, Department of Personnel Management and Industrial Relation, Patna University, Ashok Raj Path, Patna.
9. Sri Kameshwar Pandit fathers name not known to the petitioner Director, Post Graduate Diploma Course, Industrial Safety Management, Department of Personnel Management and Industrial Relation, Patna University, Ashok Raj Path, Patna.
10. Sri Ritesh Kumar fathers name not known to the Petitioner Presently posted as Accountant in the Department of Post Graduate Diploma Course, Industrial Safety Management, Department of Personnel Management and Industrial Relation, Patna University, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Ashok Kumar Mishra, Adv. Mr. Ram Kumar Singh, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Rastogi, AAG-10 Mr. Rohitabh Das, AC to AAG-10
For the University	:	Mr. Nadim Seraj, Adv. Mr. Natraj Verma, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)



Date : 13-10-2025

On 23.09.2025 we have passed the following order:

“In the light of our earlier order dated 06.05.2025, Additional counter affidavit has been filed on behalf of respondent nos. 4, 5 and 7 along with a report at Annexure-R/A, in which they have come to the conclusion that the appellant’s appointment was on ad hoc basis with reference to advertisement read with the fact that Director, Industrial Safety Management, Patna University is not the competent authority to issue advertisement, selection and appointment like appellant herein. The aforementioned material information cannot be appreciated at this distance of time, for the reason, that in favour of the appellant there are two documents which reveals that appellant has been appointed on probation for a period of two years. A person can be appointed on probation only against a permanent post. That apart, on 20.02.1991 the very same Director Industrial Safety Management, Patna University regularized the petitioner’s service w.e.f. 13.02.1991. In this backdrop, no action has been taken against the then Director, Industrial Safety Management, Patna University. For the first time all these issues are racked up in the present litigation.



2. Be that as it may, having extracted the work from the appellant, he is entitled to certain monetary benefits. Perusal of order of appointment one has to draw inference that he has been appointed against a regular post and on regular basis. Even assuming that he was appointed on ad hoc basis in the year 1989, his services have been regularized w.e.f., 13.02.1991 on 20.02.1991. Therefore, the University authorities are hereby directed to extend service and monetary benefits in the light of our previous order dated 06.05.2025 or in the alternative bring a proposal insofar as payment of lump sum amount of Rs. 10 Lakhs to the appellant for rendering service from the year 1989 till retirement or attaining the age of superannuation.

3. Re-list this matter on 08.10.2025.”

2. Learned counsel for respondent no.8 furnished a cheque bearing no.828219 of Indian Bank in favour of Jitendra Kumar Singh, a sum of Rs.10,00,000/-(Ten Lakhs) and the same has been handed over to the learned counsel for the appellant -Jitendra Kuamr Singh.

3. In the light of these facts and circumstances, the present LPA stands disposed of. The aforementioned amount is



settled with appellant as one time and final settlement with the respondent no.8.

4. With the above observation, LPA stands disposed of. In the event of return of the cheque for any reasons in that event, appellant is at liberty to file interlocutory application to revive this order.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

Prakash Narayan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.10.2025
Transmission Date	NA

