

Ranchi University and anr. Vs. Nand Kumar Singh and ors.,

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Court : Jharkhand

Decided On : Nov-29-2005

Reported in : [2006(1)JCR335(Jhr)]

Judge : S.J. Mukhopadhaya, A.C.J. and ; Narendra Nath Tiwari, J.

Appeal No. : L.P.A. Nos. 632, 641 and 642 of 2003

Appellant : Ranchi University and anr.

Respondent : Nand Kumar Singh and ors., ;suresh Kumar and anr. and Kishore Kumar Parhi and anr.

Advocate for Def. : Altaf Hussain and; Afaq Ahmad, Adv.

Advocate for Pet/Ap. : Anoop Kumar Mehta, Adv.

Judgement :

ORDER

1. The private respondents were appointed as teaching and non-teaching employees in Mandar College, Mandar and P.P.K. College, Bundu, which were made constituent colleges under the appellant-Ranchi University in the 4th phase. Services of some of them were initially terminated, but they were reinstated in view of the decision and direction of the Patna High Court given in one or other writ petitions including CWJC No. 4021 of 1995. However, they were not paid salary for certain period. By the common impugned order dated 14th August, 2003,

learned Single Judge held that the respondent-writ petitioners would be entitled to get arrears of salary from January, 2003 as also the current salary subject to the final decision as may be taken by the Supreme Court. It was brought to the notice of the Court that the question of absorption of teaching and non-teaching staff of converted constituent colleges (4th phase) was pending consideration before the Supreme Court in the case of State of Bihar v. Bihar Rajya M.S.E.S.K.A. Mahasangh. For the said reason, learned Single Judge observed that the findings was subject to the decision of the Supreme Court.

2. Today when the case was taken up, the parties accepted that the aforesaid case has now been disposed of by the Supreme Court by its decision reported in 2005 (1) JLJR (SC) 215. The respondents-writ petitioners are governed by the decision of Supreme Court aforesaid.

3. In the circumstances, all these appeals are disposed of with a direction to the Ranchi University and other authorities of the State of Jharkhand to give benefit to the respondents-writ petitioners in terms with the decision and direction given by the Supreme Court in the case of State of Bihar v. Bihar Rajya M.S.E.S.K.A. Mahasangh (supra). The judgment rendered by the learned Single Judge stands modified to that extent.

4. All the appeals are disposed of with aforesaid observations and directions.