

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P.(S) No. 3866 of 2016**

Giridhari Yadav and others ..... Petitioners  
Versus  
The Vice Chancellor, Vinoba Bhave University, Hazaribagh and others  
..... Respondents

**CORAM : HON'BLE MR. JUSTICE DR. S.N. PATHAK**

(Through Video Conferencing)

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For the Petitioner : Mr. Kanti Kumar Ojha, Advocate  
For the Respondents – University: Ms. Indrani Sen Choudhury, Advocate  
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08/09.09.2021 Heard the parties.

The case relates to regularization. It has been submitted by Mr. Kanti Kumar Ojha, learned counsel appearing for the petitioner that though petitioners are working from the year 1994 till 1998, their services have not been regularized. It is vociferously argued by learned counsel that in view of the Judgment delivered by the Hon'ble Apex Court in the case of *Narendra Kumar Tiwari and others Vs. State of Jharkhand and others* reported in (2018) 8 SCC 238, the respondents ought to have considered case of the petitioners for their regularization.

Ms. Indrani Sen Choudhury, learned counsel representing University vehemently opposes contention of learned counsel for the petitioners and submits that admittedly petitioners had worked for four years only and they had been terminated from the service in the year 1998 itself and as such this writ petition is not maintainable at such a belated stage. When petitioners are not in service, the question of regularization does not arise at all.

This matter requires hearing.

Admit.

Parties have already appeared, no notice is required to be issued.

Rule is made returnable after six months.

Parties may however file their affidavits and exchange pleadings.

Later on it has been argued by learned counsel for the petitioners that other similarly situated persons have already been regularized in service.

Contention of learned counsel for the petitioners has vehemently been opposed by learned counsel for the respondents and it is argued that the same is not at all acceptable.

**(Dr. S. N. Pathak, J.)**