

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).17883/2007

(From the judgement and order dated 08/03/2007 in LPA No.961/2006  
of the HIGH COURT OF PATNA)

CHANDRA NATH JHA & ORS. Petitioner(s)

VERSUS

STATE OF BIHAR & ORS. Respondent(s)

(With appln(s) for impleadment and with prayer for interim  
relief and office report)

WITH

SLP(C) NO.16155 of 2007  
(With prayer for interim relief and office report)

Date:11/07/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI  
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. Akhilesh Kumar Pandey,Adv.  
Mr. Sudhanshu Sara,Adv.  
Ms. Shalini Chandra,Adv.  
Ms. Swati Chandra,Adv.

For Respondent(s) Mr. Rudreshwar Singh,Adv.  
for Mr. Gopal Singh,Adv.

Mr. Raunak Jain,Adv.  
for Mr. Lakshmi Raman Singh,Adv.

Mr. Ram Ekbal Roy,Adv.  
Mr. Rameshwar Prasad Goyal,Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

We have heard the learned counsel for the parties.

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Application for impleadment is allowed.

The appeals are disposed of with observation and  
direction as contained in the signed order. Parties are  
directed to bear their own costs.

(A.S. BISHT)  
COURT MASTER

(NEERU BALA VIJ)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5342  
(Arising out of SLP(C) No.17883/2007)

OF 2011

CHANDRA NATH JHA & ORS.

Appellant(s)

VERSUS

STATE OF BIHAR & ORS.

Respondent(s)

WITH

CIVIL APPEAL NO. 5343  
(Arising out of SLP(C) No.16155/2007)

OF 2011

O R D E R

1. Leave granted.

2. We have heard the learned counsel for the parties.

3. The appellants were appointed prior to 29.1.1981 by the then Managing Committee of the R.B.T.S. Homeopathic Medical College and Hospital, Muzaffarpur. A Notification dated 29.1.1981 was issued by the Health Department, Government of Bihar to take over the private medical colleges with effect from 1.4.1981. In the Notification dated

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29.1.1981, it was made clear that these institutions will be taken over by the Government of Bihar with effect from 1.4.1981. Therefore, in our considered view, the liability of the State Government would arise from the date these private institutions were taken over by the State Government i.e. with effect from 1.4.1981.

4. In case of employees where some payments have been made by the State Government, we direct the State not to recover that amount from the employees. In other cases, the employees would be entitled to different pay scales only from 1.4.1981.

5. These appeals are disposed of with the  
aforementioned observation and direction. Parties  
are directed to bear their own costs.

.....J  
(DALVEER BHANDARI)

.....J  
(DEEPAK VERMA)

New Delhi;  
July 11, 2011.