

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13091 of 2014

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Sanjay Singh @ Dr. Sanjay Singh S/o Sri Keshri Prasad Singh, Resident of House No. 21, Tilka Manjhi, P.S. - Kotwali, District - Bhagalpur, Presently posted as Professor-in-Charge, R.A. College, Sambhuganj, P.S. Sambhuganj, District Banka.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Higher Education, Government of Bihar, New Secretariat, Patna.
3. The Chancellor of the Universities of Bihar, Raj Bhawan, Patna.
4. The Tilka Manjhi Bhagalpur University, Bhagalpur, through its Registrar.
5. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. The Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
7. Dr. Arun Kumar Singh, Controller of Examination, Tilka Manjhi Bhagalpur University, Bhagalpur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Dinesh Kr. @ Khoorpiwala, Adv.

For the Respondents : Mr. Anjani Kumar, Sr. Adv. AAG-6
Mr. Sunil Kumar AC to AAG-6

For the Chancellor : Mr. Rajendra Kumar Giri, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)



which the petitioner has proceeded in this litigation. The post of Controller of Examination fell vacant in the year 2008 and steps were taken for appointment of an incumbent. Respondent No.7 and certain others applied and ultimately the respondent No.7 was appointed by order dated 29.9.2008. He was posted as Controller of Examination of Tilka Manjhi Bhagalpur University, Bhagalpur.

It is stated that he has been transferred to Baba Saheb Bhim Rao Ambedkar University, Muzaffarpur. However, the Chancellor has passed an order on 6.2.2014 staying the operation of appointment as well as the order of transfer of the 7th respondent. Reference was made to C.W.J.C. No.18084/10. Shortly thereafter, the Chancellor passed an order dated 3.7.2014 revoking the earlier order dated 6.2.2014. The same is challenged in this writ petition by way of Public Interest Litigation.

Heard learned counsel for the petitioner, Mr. Dinesh Kumar @ Khoorpiwala, learned counsel for the respondents, Mr. Anjani Kumar, AAG-6 and learned counsel for the Chancellor, Mr. Rajendra Kumar Giri.



The 7th respondent was appointed as Controller of Examination way back in 2008. The petitioner was never a contender for that post. It is brought to our notice that there was a challenge to the appointment of the 7th respondent, but the same was not interdicted. For the past seven years, he is holding the post of Controller of Examination.

The circumstances in which the Chancellor passed the order dated 6.2.2014 staying the appointment and transfer of 7th respondent are not stated before this Court. However, a perusal of the said order discloses that neither any proceedings were initiated nor was there any basis for passing such an order. Obviously, realizing that, the order dated 3.7.2014 was passed revoking the earlier order.

We are indeed at a loss to understand as to what concern the petitioner can have, with the appointment of the Controller of Examination. It only shows the want of manners or lack of discipline on his part. A Professor in the institution is required or supposed to have respect towards the University and its administration. If a Professor himself belittles an important officer like the Controller of Examination, he

cannot be a source of inspiration for discipline or the standards, for others.

We, therefore, dismiss the writ petition and warn that the petitioner shall not indulge in such activities in future.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Rajendra Kumar Mishra, J)

K.C.jha/Shail

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