

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.722 of 2015

Dr. Birendra Kumar, son of Late Ramadhar Ram, resident of Village & P O – Ranisagar, P S – Shahpur Patty, District – Bhojpur (Ara), presently posted as Assistant Prof. cum Jr. Scientist, Department of Animal Genetics and Breeding, Bihar Veterinary College, Patna.

.... Petitioner/s

Versus

1. The Bihar Agricultural University through its Registrar, having office at Sabour, District - Bhagalpur.
2. The Vice Chancellor, Bihar Agriculture University having its office at Sabour, District – Bhagalpur.
3. The Registrar, Bihar Agriculture University having its office at Sabour, District – Bhagalpur.
4. The Director (Administration), Bihar Agriculture University, Sabour, Bhagalpur.
5. The Principal, Bihar Veterinary College, Patna – 14.
6. Dr. Ankesh Kumar son of not known to the petitioner, presented posted as Asstt. Professor cum Jr. Scientist, Bihar Veterinary College, Patna.
7. Dr. Pramod Kumar son of not known to the petitioner, presently posted as Asstt. Professor cum Jr. Scientist, Bihar Veterinary College, Patna.
8. Dr. Archana Kumari wife of not known to the petitioner, presently posted as Asstt. Professor cum Jr. Scientist, Bihar Veterinary College, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Respondent/s : Mr. Chandra Mohan Singh

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-01-2015

A K Tripathi, J.

Writ application is required to be dismissed because rationale and reasoning provided in Annexure-8 after due consideration by the University cannot be said to be arbitrary or irrational. The University cannot be closed down and teaching etc. cannot be stopped merely because petitioner was given permission by Indian Council of Agricultural Research to pursue higher studies of Ph.D.

2. Leave is not a matter of right. The reason for rejection is not arbitrary. The responsibility of the petitioner is first towards the office which he is holding and duties he is supposed to deliver to the organization. All these facts have emerged from the considered decision, contained in Annexure-8.

3. Anneuxre-8 is not required to be interfered with. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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