

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9609 of 2015

Dr. Vinay Kumar Kantha, son of Late R.S.P. Kanth, resident of Udayan, Shakti Nagar, Anisabad, P.S.- Phulwari, District- Patna

.... .. Petitioner/s

Versus

1. The Patna University, Patna through its Registrar
2. Vice Chancellor, Patna University, Patna
3. Registrar, Patna University, Patna
4. Principal, B.N. College, Patna
5. Dr. Raj Kishore Prasad, son of not known to the petitioner, presently posted and working as the Principal, B.N. College, Ashok Rajpath, Patna, PS- Pirbahore District- Patna.

.... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava
For the Patna University	:	Mr. Digvijay Singh
For the Respondent No. 4 & 5:		Mr. N. C. Verma
		Mr. Ram Kumar Singh

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 14-09-2015

14.09.2015

Heard learned counsel for the petitioner, counsel for the university as well as the private-respondent.

There is too much of bad blood between the petitioner and the private-respondent no. 5. Petitioner is a senior Reader in B. N. College, under Patna University and the private-respondent is Principal of the said college.

The petitioner by brining several materials on record in the writ application has tried to establish that

whatever action is being taken against him by the Principal is out of personal motive and grudge, which he carries, because his appointment as a Principal was set aside and he holds the present petitioner guilty for instigating or atleast conspiring to dislodge him from the post of Principal.

It may be a co-incidence that the brother of the present petitioner also happens to be a senior Advocate of this Court, who had argued the writ application against the private-respondent. That could be one of the consideration holding present petitioner in some kind of suspicion for having played a role in the earlier removal of the private-respondent from the post of Principal.

Persons holding high office are not expected to behave in such a mean-minded fashion. Public offices are not meant for settling personal scores. Venue and forums should be elsewhere.

Time has come when both the petitioner and the private-respondent should focus towards the betterment of the institution and delivery of quality education rather than settling personal score on some kind of grudge, hitch, apprehension or misunderstanding being carried.



The Court is not impressed by the submission of the private-respondent that whatever he is trying to do is only to enforce strictly the directive of the Vice-Chancellor. There are ways of enforcement and implementation. If the bona fide is missing, then surely somebody will have a grievance.

It is hoped and expected that all such misapprehension would be put to rest and petitioner and private-respondent can join together to work as a team to make a difference to the institution. It is made clear that the game must stop forthwith. Petitioner must beget salary regularly and private-respondent no. 5 should not create undue impediments on one technicality or the other.

The petitioner is also directed not to bring his ego in compliance with the directive of the Vice-Chancellor of the university. Every teacher or employee is expected to complete the requirements of marking attendance at the time of entering the college or university in question as well as while departing, so that the object behind such a directive of UGC can be enforced in letter and spirit.

The Court hopes that the matter will now be set to rest and there may not be an occasion for this



Court to adjudicate such kind of dispute in future between the petitioner and the private-respondent, so long as they continue in the institution in their respective capacity.

Writ application stands disposed off with observation / direction as above.

(Ajay Kumar Tripathi, J.)

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