

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 3185 of 2016

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1. Dr. Ajay Kumar Sinha, S/o- Late Chhotey Lal Prasad, Resident of- At Prithvipur, Lane No. 2, Chiriyatand, P.O.- G.P.O., District- Patna
 2. Dr. Sita Ram Pandey, S/o- Pandit Madan Kishore Pandey, Resident of Shahityaki, Devi Asthan, Near Railway Station, P.O.+ P.S.- Warsaliganj, District- Nawadah

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Higher Education, Govt. of Bihar, Patna
2. The Vice Chancellor, Magadh University, Bodh- Gaya
3. The Registrar, Magadh University, Bodh Gaya
4. The Public Information Officer, Magadh University, Bodh Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Y. V. Giri, Sr. Advocate Mr. Nikhil Agrawal, Advocate
For the University	:	Mr. K. N. Singh, Sr. Advocate
For the State	:	Mr. Sunil Kumar Mandal, SC-3 Ms. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT

Date: 29-08-2016

Heard learned counsels for the parties.

Since the High Court in exercise of its power conferred under Article 226 of the Constitution of India cannot act as a super expert committee to sit in appeal over a decision of the Board of seven members, who interviewed the petitioners for grant of benefit of the scale of a Professor under the merit scheme. The extraneous efforts made on behalf of the petitioners by the learned senior counsel can be of no avail.

Keeping the above into consideration, the petitioners would be well advised to may be move before the Hon'ble Chancellor, who may consider the efficacy to revisit the decision by a fresh exercise, if he is satisfied that such a case is made out.

This Court, however, cannot give any direction for the relief, i.e., promotion as Professors under the merit scheme.

Learned senior counsel for the petitioners seeks liberty to withdraw this writ application.

Prayer is allowed.

Writ application is disposed off as withdrawn with liberty as above.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	30.08.2016
Transmission Date	