

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3627 of 2016

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1. Rakesh Kumar Shukla S/o Sri Vidhya Sharan Shukla R/o village - Matuk Chapra, P.O. Barkagaon, District Siwan at Present C/o Sri Sunil Dutt Shukla, Gandhi Maidan, Near - Moti School, Siwan

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Bihar Public Service Commission, Patna through its Secretary, Patna, Bihar
3. The Chairman, Bihar Public Service Commission, Patna
4. The Secretary, Bihar Public Service Commission, Patna
5. The Department of Education through Principal Secretary, Department of Education, Govt. of Bihar, Patna
6. The Chancellor, Universities of Bihar, Patna
7. University Grant Commission (UGC), Bahadur Shah Jafar Marg, New Delhi - 110002

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashutosh Tripathy Mr Vishajeet Kr. Mishra
For the State	:	Mr. N.K.Agrawal, AC to GP 30
For BPSC	:	Mr Sanjay Pandey

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 19-04-2016

The certification contained in Annexure- 6 giving some kind of endorsement that the 2007 Ph.D. degree obtained by the petitioner satisfies the requirement of the UGC minimum standard and procedure for award of Ph.D. degree Regulation of 2009 obviously is a misnomer and a wrongful certification issued by the Registrar of Lucknow University, if there is any authenticity of Annexure- 6.

Since the law has been settled right up till Hon'ble Apex Court with regard to the pre- 2009 Ph.D. degrees, there cannot be any scope for further argument and debate on such issue now.

Only if there is a change of the directive issued by the UGC, there can be some hope for candidates, who are possessing Ph.D. degree pre-2009 Regulation.

The issue before this Court being rejection of the claim of the petitioner for participating in the recruitment process being conducted by BPSC on the post of Assistant Professor, therefore, is a valid ground for rejection. No interference is warranted with such a decision.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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AFR/NAFR	NAFR
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