

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19956 of 2016

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1. Randhir Kumar Singh, S/o Late Tapsi Narayan Singh, Resident of Village+P.O.- Jagdishpur, P.S.- Jandaha, Distt- Vaishali.
 2. Arvind Kumar, S/o Late Sone Lal Rai, Resident of At+PO Mali Nagar, P.S.- Chak Mehshi, Distt- Samastipur.
 3. Vinay Kumar, S/o Late Shiv Sharan Prasad, Resident of Mohalla- Baban Bigha (Kanhali), Road No. 17/A, PO- Mithanpura, Distt- Muzaffarpur.
 4. Vineet Kumar, S/o Kishori Mahto, Resident of At+PO- Harpur, Pusa, P.O.- Pusa, Distt- Samastipur.

.... Petitioner/s

Versus

1. Dr. Rajendra Prasad Central Agricultural University, Pusa, Distt- Samastipur through its Registrar.
2. The Vice Chancellor, Dr. Rajendra Prasad Central Agricultural University, Pusa, Distt- Samastipur.
3. The Registrar, Dr. Rajendra Prasad Central Agricultural University, Pusa, Distt- Samastipur.
4. The In-Charge Officer (Appointment), Dr. Rajendra Prasad Central Agricultural University, Pusa, Distt- Samastipur. Respondent/s

with

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Civil Writ Jurisdiction Case No. 20427 of 2016

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1. Jeetendra Kumar, S/o Sri Devji Poddar, R/o village - Mahamda, P.S. Pusa, Distt. - Samastipur
2. Shashi Bhushan Kumar Rai, Son of Sri Jagdish Rai, resident of village - Harpur, Pusa, P.O. and P.S. Pusa, District - Samastipur
3. Rajeev Kumar, Son of Late Satya Narain Prasad Verma, resident of village - Pusa, P.S. Pusa, District - Samastipur
4. Santosh Kumar, Son of Ram Dayal Singh, resident of village - Sundarpur Ratwara, P.S. Piar, District - Muzaffarpur
5. Om Prakash Singh, Son of Sri Ramanand Singh, resident of village - Rasalpur, P.S....., District Mau (U.P.)

.... Petitioner/s

Versus



- 1. Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur, through its Registrar having office at Pusa, Samastipur
- 2. The Vice - Chancellor, Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur
- 3. The Director Administration, Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur
- 4. Officer - in - Charge (Recruitment) Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur

.. Respondent/s

with

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Civil Writ Jurisdiction Case No. 2953 of 2017

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- 1. Manoj Kumar Vatayshyan, son of Late Ram Sharan Prasad Singh, Resident of Village- Mahmada, P.S.- Pusa, District- Samastipur.
- 2. Ranjan Kumar, son of Ram Lakhan Rai, Resident of Village- Mahmaddpur Deopur, P.S.- Pusa, District- Samastipur.

.... Petitioner/s

Versus

- 1. Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur, through its Registrar having Office at Pusa, Samastipur.
- 2. The Vice- Chancellor, Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur.
- 3. The Director Administration, Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur.
- 4. Officer-in-charge (Recruitment) Dr. Rajendra Prasad Central Agricultural University, Bihar, Pusa, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioners : Mr. Onkar Kumar,
Mr. Nawal Kishor Singh,
Mr. Gajanan Arun and
Mr. Gajendra Kumar Singh, Advocates

For the University : Mr. Anil Kumar Upadhyay with
Mr. Chandra Mohan Singh, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT



Date: 12-05-2017

Heard learned counsel for the parties.

2. The petitioners have moved the Court for quashing of part of Advertisement No. 1 of 2016 dated 02.12.2012 by which for General Category Candidates the upper age limit for appointment on sanctioned and vacant post has been fixed as 30 years as on 02.12.2016.

3. The petitioners were initially appointed on temporary and contractual basis in Krishi Vigyan Kendra of Rajendra Agriculture University. Thereafter, their engagements were extended from time to time and subsequently in the year 2013 an advertisement was again published for appointment on temporary basis on such post with upper age limit fixed. The same was challenged before this Court by similarly situated persons and by order dated 18.12.2014 in C.W.J.C. No. 23424 of 2013, it was directed that the age bar will not apply to persons who are already working in the University and the age bar shall be limited to persons who are applying for the first time without rendering any work under the University.

4. Learned counsel for the petitioners submitted that the petitioners having been appointed after due selection process and possessing the requisite qualification and also having worked regularly for so many years, besides having gathered experience, cannot be left in the lurch at this point of time moreso, in view of such



bar of age having been relaxed by the Court earlier.

5. Learned counsel for the Rajendra Agriculture University submitted that the fixing of upper age limit is as per the requirement of law. However, he is not in a position to controvert the submissions of learned counsel for the petitioners, especially that they were duly appointed after regular selection process and further that earlier also the Court had directed that they be given relaxation that age bar will not apply to them.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the writ petitions stand disposed off by directing the Rajendra Agriculture University to issue a corrigendum clarifying that the age bar will not apply to persons who are already working in the University, which includes the petitioners, and the same shall be limited for persons who are applying for the first time without rendering any work under the University.

7. It is clarified that the present order is being passed in the peculiar facts and circumstances of these cases and the same shall not act as precedence in future and further the age relaxation shall be given to the petitioners as a one-time measure.

(Ahsanuddin Amanullah, J)

Anjani/-

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