

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9774 of 2017

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Dr. Sheochandra Singh Son of Late Ramawatar Singh, resident of 14, Nutan Residency, Kaliket Nagar, Behind Vatika Premier, Bailey Road, P.S.-Rupaspur, District-Patna. Petitioner/s

Versus

1. The Chancellor of The Universities, Raj Bhawan, Bihar, Patna
2. Magadh University, Bodhgaya, Through Its Registrar.
3. Vice Chancellor, Magadh University, Bodh Gaya
4. Registrar, Magadh University, Bodh Gaya
5. Dr. Sunita Singh, Wife of not Known to the Petitioner, Presently Posted and Working as Professor-in-Charge, R.P.M. College, Chowk Shikarpur, Patna City, P.S.-Shikarpur, District-Patna. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Advocate
Mr. Satyendra Prasad, Advocate
Mr. Nagendra Kumar, Advocate
For the University : Mr. Shivendra Kishore, Sr. Advocate
Mr. Priyank Deodate, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 29-11-2017 Heard learned counsel for the petitioner and counsel appearing on behalf of the University.

Learned Sr. Counsel appearing on behalf of the petitioner submits that he is most senior teacher in the college in question but ignoring his seniority, the person junior to this petitioner has been made Professor in-charge.

Learned Sr. counsel appearing on behalf of the University submits that on account of certain charges pending enquiry against the petitioner, the University has resorted to appoint the junior to this petitioner as Professor in-charge. However, the counter affidavit is silent on the point that what was



the action the University has taken on the lapse if any of the petitioner and what is the stage of the enquiry.

Considering the totality of the facts situation, the court is of the view that the dispute as to the handing over the charge of Principal to junior to this petitioner as Professor in-charge has occasioned on account of non-posting of regular Principal in the college.

Mr. Narayan appearing on behalf of the petitioner submits that in the matter of appointment of Professor in-charge, seniority cannot be ignored.

In view of order which the court proposes to pass the issue is now only academic

In the aforesaid circumstances, the University is directed to post regular Principal in the college positively within a period of one month so that the petitioner may not have heart burning on account of ignoring his seniority in the matter of appointment of the Professor in-charge.

.With the aforesaid observation, the writ application stands disposed of.

Ravi/-

(Anil Kumar Upadhyay, J)

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