

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19656 of 2016

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Arvind Kumar, Son of Sitaram Prasad, resident of Quarter No.5, Block-C,
Nav Nalanda Mahavihara residential Campus, In front of Nalanda Post
Office, P.S.- Nalanda, District- Nalanda.

.... Petitioner/s

Versus

1. The Union of India, through Ministry of Culture, Govt. of India, Shastri Bhawan, New Delhi- 110001.
2. The Secretary, Ministry of Culture, Government of India, Shastri Bhawan, New Delhi- 110001.
3. Nava Nalanda Mahavihara, through its Registrar, Nalanda.
4. The Vice-Chancellor, Nava Nalanda Mahavihara, Nalanda.
5. The Registrar, Nava Nalanda Mahavihara, Nalanda.
6. The Board of Management, Nava Nalanda Mahavihara through its Member Secretary-cum-Director, Nava Nalanda Mahavihara, Nalanda.
7. K.K. Pandey, Father's name P.R.P. Sharma to the petitioner, Librarian, Nava Nalanda Mahavihara, Nalanda.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

2 07-09-2017

Heard learned counsel for the petitioner.

2.The petitioner has moved the Court for the
following reliefs:-

“(i) *That the resolution No. 31.9 of the 31st meeting of Board of Management dated 26.03.2014 communicated vide notification bearing No. NNM/BOM(31.9)/26-03-14/197 by which the petitioner has been re-designated as Library Assistant giving reason in conformity with the decision*



taken in case of Librarian, Dr. K.K. Pandey be quashed. (Annexure-11)

- (ii) That further direction to the respondents not to act upon the decision of the Board of Management dated 26.03.2014.*
- (iii) For appropriate declarations that when new memorandum of Association has been approved by the Board of Management in its 28th meeting held on 31.03.2012 confirming the approval of members, constitution of Board of Management as per old Memorandum of Association and held 31st meeting which is contrary to the provisions relating to constitution of Board of Management in new Memorandum of Association is without jurisdiction.*
- (iv) Petitioner once appointed on the post designated as Assistant Librarian and confirmed on the said post any change for re-designation of the post of the petitioner in conformity with the decision taken in others case giving him undue favour and benefit is against the service jurisprudence.*
- (v) For any other relief or consequential reliefs to which the petitioner may be found entitled to in the facts and circumstances of the case.”*



3. After some arguments, learned counsel for the petitioner submitted that he has filed representation with regard to his grievance before the Government of India which is pending and now has to be decided by the respondent no. 4. However, he submitted that to simplify the matter, he may be permitted to file a fresh representation before the respondent no. 4.

4. Having considered the aforesaid, the writ petition stands disposed off with liberty aforesaid.

5. If the petitioner files a representation before the respondent no. 4 within four weeks from today, the same shall be considered and disposed off expeditiously and latest within a period of two months from the date of filing of such representation.

(Ahsanuddin Amanullah, J)

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