

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1927 of 2016

In

Civil Writ Jurisdiction Case No. 8919 of 2016

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Md. Mobin Ansari, son of Md. Yasin, resident of Mohalla- Mewati Tola,
Police Station- Town Thana, Sasaram, District- Rohtas.

.... Appellant/s

Versus

1. The Chancellor of the Universities, Governor's Secretariat Bihar, Patna.
2. The Vice-chancellor, Veer Kunwar Singh University, Ara.
3. The Registrar, Veer Kunwar Singh University, Ara

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate

For Respondent Uni. : Mr. Prabhat Kumar Verma, Sr. Advocate
Mr. Rajesh Pd. Choudhary, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 13-12-2017 Having heard learned counsel for the parties, we find

that the learned Writ Court while refusing to interfere with the

order repatriating the petitioner to the parent College has observed

as under:

“Before parting, counsel for the petitioner
submits that there is a move to absorb people,
who are working from College on deputation
with the university. This may be an independent
issue and cannot be mixed up in the relief, which
has been sought for in the present writ
application.”

The grievance of the petitioner is that in pursuance of

certain policy decision of the State Government, case of the



petitioner for absorption was not considered.

If that be so, the petitioner may represent the university concerned and it would be for the university to consider the representation of the petitioner and pass an appropriate order with regard to grant of benefit of absorption to the petitioner as per the policy of the State Government.

This Court has not expressed any opinion on the merit of the case and we are conscious of the fact that the University has categorically stated that the petitioner has been repatriated to the parent department/college in question, but still keeping in view the policy of the State Government, as one time measure, we grant liberty to the petitioner to submit a representation to the University and the University is granted liberty to take a decision without being influenced by any observations made by this Court or the observations made in the pending litigation. The decision may be taken by the University within a period of three months.

The appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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