

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4745 of 2018

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Md. Razi Imam, S/o Md. Azim Khan, Tatarpur Road, Near Masjid, Tatarpur,
Jagdishpur, District- Bhagalpur, Pin- 812002.

.... Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University, Bhagalpur through its Registrar.
2. The Vice-Chancellor, The Tilka Manjhi Bhagalpur University, Bhagalpur.
3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. The Principal, Sudarwati Mahila College, District- Bhagalpur.
5. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
6. The Director Higher Education, Department of Education, Govt. of Bihar, Patna.
7. The Chancellor of Universities, Raj Bhawan, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Avanindra Kumar Jha

For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG 15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-03-2018

This Public Interest Litigation has been filed challenging the temporary engagement and appointment made on the post of Assistant Professor in the University in question.

Matter pertains to a policy decision taken by the University and appointment of Professors on temporary basis pending regular appointment to the post by the State Government and in the matter of appointment or recruitment to a post in our considered view a Public Interest Litigation is not the appropriate remedy. In view of the law laid down by the Supreme Court in the case of *Bhola Nath*



Mukherjee vs. Ramkrishna Mission Vivekanand Centenary College [(2011) 5 SCC 464] and the Delhi High Court’s judgment in the case of *Forum of SC and SC Legislators and Parliamentarians vs. ONGC Ltd. [WP (C) No. 1698 of 2017] decided on 27.02.2017* we are not inclined to go into the question in a Public Interest Litigation. However, in case any incumbent or aggrieved person seeking appointment to the University may ventilate the grievance in accordance with law.

This writ petition stands dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

mrl./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	29.03.2018
Transmission Date	

