

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21863 of 2014

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1. Dr. Reema Bahan, D/o Prof. (Dr.) Ramadhar Prasad and W/o Ashutosh Kumar Vinayak Resident of 8E/13, Bahadurpur Housing Colony, P.S. - Bahadurpur, P.S. - Agamkuan, Town and District - Patna.
 2. Dr. Ravindra Prasad Singh, Son of Late Kashi Mahto, Resident of Pyare Lal Bagh Ka More, Biscomaun Colony, P.S. - Alamganj, Patna.
 3. Dr. Aun Kumari Singh, Wife of Shri Prabhas Chandra Gupta Resident of Village - Sakra Faridpur, P.S. - Sakra, District - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Patna.
2. The Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
3. The Chairman, University Grant Commission, New Delhi.
4. The Director, Higher Education, Government of Bihar, Patna.
5. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Kundan Bahadur Singh, SC-22.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 05-10-2018

The issue raised in the present writ application is no more *res integra*. The issue of requirement of NET has been considered by the Apex Court in the case of ***P. Suseela & Ors. vs. University Grants Commission & Ors.*** reported as **2015(3) PLJR 278 (SC)** and as such the Court does not find any substance in the contention of the petitioner that on obtaining Ph.D. degree, he is entitled to exemption from the requirement of passing NET.

The subsequent clarification issued by the University Grants Commission (UGC) with regard to Ph.D. holder, prior to



2009, is only applicable in subsequent selection process and in that view of the matter the Court does not find any justification to issue any further direction in the instant case to cause any impediment in the selection process for appointment of Assistant Professor in different subjects undertaken by the Bihar Public Service Commission.

Accordingly, the writ application is disposed of with observation that in case of subsequent selection process, the authorities involved in selection process shall consider U.G.C. clarification as to the eligibility condition.

(Anil Kumar Upadhyay, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

