

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11905 of 2014

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Dr. Nawal Kishore Sharma, son of Sri Ram Bilas Thakur, resident of Ward
No. 12, Mohalla Kashipur, P.S. + Town - District- Samastipur

... .. Petitioner/s

Versus

1. Rajendra Agricultural University, PUSA, Samastipur- 848125 through the Registrar
2. The Vice-Chancellor, Rajendra Agricultural University, PUSA, Samastipur- 848125
3. The Registrar, Rajendra Agricultural University, PUSA, Samastipur- 848125
4. The Officer-in-Charge, Recruitment, Rajendra Agricultural University, PUSA, Samastipur- 848125
5. Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur- 848125

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
		Mr. Patanjali Rishi, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 21-06-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the University.

In the present writ petition the petitioner has challenged
the action of the respondents in inviting application for reserve
category solitary post of University Professor-cum Chief Scientist
in different disciplines.

Learned counsel for the petitioner submits that the
respondents cannot reserve the solitary post for reserve category
and as such the action is contrary to the law laid down in
Chakardhar Paswan's case which was subsequently approved by



the Constitution Bench of the Apex Court in PGI, of Medical Education vs. Faculty Association (1998)4 SCC 1.

The advertisement was published in 2014. We are in 2018 and as such the Court is not in a position to decide the present writ application and interfere with the selection process after four years as neither the petitioner nor the counsel for the University is in a position to assist the Court on the point whether the selection process has led to appointment or not. In the event the appointment was made following the selection process, contained in Annexure-2 then liberty shall be available to the petitioner to file fresh writ petition challenging such appointment by impleading the persons who have been recommended and appointed pursuant thereto.

With the aforesaid liberty, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2018
Transmission Date	

