

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7818 of 2012

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Dr. Anwer Jahan Khatoon, W/O Dr. M.S. Farooqui, R/O Karrar Ki Bari, Mohalla-
Chandwari, P.S. & District- Muzaffarpur

.... Petitioner/s

Versus

1. B.R. Ambedkar Bihar University, Muzaffarpur through its Registrar
2. The Vice-Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur
3. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur
4. Dr. Md. Takuir Alam, S/o name not known to the petitioner presently working
against the post of Head of Department of Urdu, B.R. Ambedkar Bihar
University, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Advocate
Mr. Vikas Ratan Bharti, Advocate

For the Respondent/s : Mr. Zaki Haider, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 29-06-2018

Mr. Abhinav Srivastava, learned counsel appearing on behalf of the petitioner submits that with the passage of time the present writ application is rendered infructuous due to indifferent attitude adopted by the respondents. He submits that when the Universities Act and Statute with regard to rotational headship was formulated, the idea behind such scheme was to ensure the post of rotational headship with due regard to the seniority, which was offended in the present case and the right and expectation of petitioner was defeated.

2. Mr. Srivastava submits that the wrong committed by the University and its officials cannot go without fixing



accountability of the erring officer, who had made mockery of the Universities Act and Statute in the matter of posting of rotational head. Though the petitioner has superannuated and was not appointed as head ignoring her seniority, but petitioner expects that the wrong doer must not go unpunished, as it would be travesty of justice to allow wrong doer to go escort free. He also submits that the University should take step as eye opener so that in future such illegality may not be recurred.

3. Accordingly, while disposing of the writ application, the Court directs the University to fix the accountability on the officials responsible for defeating the legitimate claim of the petitioner i.e. headship on account of seniority, so that in future other officials cannot dare to commit the same mischief again. The Vice-Chancellor of the University is required to fix the accountability after holding proper enquiry in the matter after giving opportunity to all such persons, who are identified as wrong doers.

4. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
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