

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15317 of 2017

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Pragya Shankar, D/o Shri Shankar Prasad, resident of Boring Road, P.S. Budha Colony, District Patna, presently residing at 180, (2nd Floor) C - 2 - c, pocket 2, near Orchid Hospital, Janakpuri, New Delhi 110058.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Government of Bihar, Patna.
2. Chancellor of Universities, State of Bihar, Patna.
3. Principal Secretary to the Chancellor of Universities, Bihar, Patna.
4. Principal Secretary, Human Resource Department, (Higher Education), Government of Bihar, Patna.
5. Secretary, Bihar Public Service Commission, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajnandan Kumar, Advocate.

For the Respondents : Mr. Ashutosh Ranjan Pandey, A.A.G. 15.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The following reliefs have been sought for by the
petitioner in the present writ application.

“1. That this petition is directed for issue of writ of Mandamus or any other writ(s) or order(s) against the Respondent authorities against the decision of BPSC to cancel candidature of the petitioner for the post of Assistant Professor (Economics) on the ground that she does not have a M. A. degree in Economics though having a PHD degree in Economics in accordance with UGC (Minimum Standards and Procedures for AWARD OF M. Phil/PHD degree) regulation, 2009 AND To issue a



direction to the Chancellor of Universities to notify that the application of the petitioner for recruitment for the post of Assistant Professor (Economics) is in accordance with UGC regulation 2009/2010 And To direct the Bihar Public Service Commission to consider and declare the petitioner fit for appointment as Assistant Professor (Economics) and to include the name of the petitioner at the appropriate seniority and recommend the same for appointment And To keep vacant one post of Assistant Professor of (Economies) till the decision in this case.”

It has been submitted by learned counsel for the petitioner that the case of the petitioner is squarely covered by the judgment passed by Apex Court in Civil Appeal No. 13368 of 2015 dated 06.11.2015 (Parvaiz Ahmad Parry Vs. State of Jammu and Kashmir and Orders). It is further submitted that earlier the petitioner in respect of her grievance, made a representation on 26.12.2016 before the respondent no. 2, the Chancellor of University, State of Bihar, Patna, vide Annexure-8, to the present writ application.

The respondent no. 2, the Chancellor of University, State of Bihar, Patna, is directed to examine and consider the case of the petitioner in light of the judgment passed in Civil Appeal No. 13368 of 2015 dated 06.11.2015 (Parvaiz Ahmad Parry Vs. State of Jammu and Kashmir and others) and also consider U.G.C.



guidelines dated 30.06.2010 which is Annexure-14 to the present writ application and pass an appropriate order in accordance with law within a period of three months from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

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(Sudhir Singh, J)

