

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.728 of 2017

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Prem Chandra Prasad, Son of Late Dineshwar Singh, resident of village +
P.O. Harpur Belwa, Police Station Mahua, District Vaishali

... .. Petitioner/s

Versus

1. Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga through its Registrar
2. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
3. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
4. State of Bihar through the Chief Secretary Government of Bihar, Patna
5. Principal Secretary Human Resource Development Department, Government of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binodanand Mishra, Advocate
For the State	:	Mr. Sunil Kumar, AC to GA12
For L.N.M. University	:	Mr. Ram Naresh Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 07-03-2018 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Mr. Binodanand Mishra, learned counsel for the petitioner fairly submits that now the Rules regarding promotion has undergone a change. He submits that for the vacancy of 2013 the respondents have applied the new rule which came subsequent to vacancy. However, he admits that the petitioner has appeared in the selection process in terms of the new rule.

Once the petitioner has appeared in terms of new rule, he is precluded from questioning the validity of the selection process in view of the settled proposition of law. The only



grievance subsisting now is that the respondents have not intimated the marks obtained by the petitioner in the selection process and the cut off marks for such selection. The petitioner may be provided with a copy of the marks obtained by him in the selection process for promotion and also he may be intimated about the cut off marks for promotion by way of selection.

In case the petitioner represents in this regard within one month, the respondent authorities are required to supply the aforesaid information to the petitioner within a maximum period of one month from the date of filing such representation.

In case on receipt of such information the petitioner finds any material to challenge the exclusion of his name in the preparation of the list for promotion, liberty shall be available to the petitioner to agitate the matter before the appropriate forum.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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