

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25341 of 2013

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RAVI BHUSHAN SINHA SON OF LATE SRI MADAN MOHAN PRASAD
SINHA RESIDENT OF NAYAGAON, P.O. + P.S. - NAYAGAON,
DISTRICT - SARAN, CHAPRA

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, H.R.D. Bihar Patna
2. The Vice Chancellor, Jai Prakash University Chapra, Rahul Sanskritayan
Nagar, Chapra, Pin Code - 841301
3. The Registrar, Jai Prakash University, Chapra
4. The Principal, Rajendra College, Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s : Miss. Mallika Mazumdar, Advocate
For the Respondent/s : Mr. Hitesh Suman, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 10-09-2018 Heard Miss. Mallika Mazumdar learned counsel for

the petitioner and learned counsel appearing on behalf of the

State as well as University.

The grievance of the petitioner in the instant writ
application is non-consideration of the case of the petitioner for
grant of promotion.

This writ petition was filed on 19.12.2013 with two
advance copies to the respondent. On behalf of the State cryptic
counter affidavit has been filed. The deponent in the counter
affidavit has taken the stand that the University is custodian of
the record and under the scheme of the Bihar State University
Act, the Vice Chancellor has the power to take appropriate



decision. Unfortunately, on behalf of the University no counter affidavit was filed.

The matter of grant of promotion of the petitioner is pending since 2013. Petitioner is working as Head Assistant in this college in question being the senior most non-teaching employee. In paragraph-10 statement has been made on behalf of the petitioner that the college in question forwarded the name of two persons; Ajai Kumar Sinha, who was officiating as Accountant and the petitioner, who was officiating as Head Assistant. The case of Ajai Kumar Sinha was favorably considered and he was granted regular promotion as Accountant but the respondents are setting tight over the matter of promotion of the petitioner and due their indecisiveness the petitioner is officiating as Head Assistant to the College in question and he is deprive of the legitimate consequential benefit despite discharging the responsibility of Head Assistant. Almost five years have passed but the respondents University has neither redressed the grievance of the petitioner nor filed any counter affidavit.

Under the aforesaid circumstance, the respondents University is hereby directed to take final decision and if the case of the petitioner stands on similar footing like Ajai Kumar



Sinha, who has been granted promotion as Accountant the University may take appropriate decision granting similar treatment to the petitioner. Final decision in this regard may be taken by the respondent within a maximum period of four months from the date of receipt/production of a copy of this order with all consequential benefit.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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