

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3449 of 2012

Dr.K.R.Maurya @ Dr.Kuber Ram Maurya S/O Late Parahu Ram Maurya
R/O Flat No.202, M.S.Smriti Complex, In Front Of C.R.Colony, Ashinan
Digha Road, P.O. -ashinan Nagar, P.S. Rajiv Nagar, Patna-25, Chief Scientist-
Cum-University Professor, Ex-Dri-Cum-Dean(Pgs), Rajendra Gricultural
University, Pusa, Distt-Samastipur

... .. Petitioner/S

Versus

1. The State Of Bihar Through Agriculture Production Commissioner New
Secretariat, Patna
2. The Rajendra Agricultural University Bihar, Pusa, Samstipur, Through Its
Registrar
3. The Vice Chancellor, Rajendra Agricultural University Bihar, Pusa,
Samstipur
4. The Registrar, Rajendra Agricultral University Bihar, Pusa, Samastipur
5. The Comptroller, Rajendra Agricultral University Bihar, Pusa, Samastipur
6. The Assistant Cimptroller(Fund), Rajendra Agricultral University Bihar,
Pusa, Samastipur
7. The Director,Administration, Rajendra Agricultral University Bihar, Pusa,
Samastipur
8. The Deputy Director Administration , Rajendra Agricultural University
Bihar, Pusa, Samastipur

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 19840 of 2011

Dr. Ramapati Nath S/O Late Dr. Kedar Nath R/O Flat No. 401/A, Vishal
Kamla Apartments, Munder Sah Colony, Road No.2, Khajepura, P.O.- Bihar
Veterinary College, P.S.- Shastri Nagar, Patna-14, Retired University
Professor-Cum-Chief Scientist, Nematology, In-Charge Director, Sugar Cane
Research Institute, Pusa, District- Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar Through Agriculture Production Commissioner, New
Secretariat, Patna
2. The Rajendra Agriculture University, Bihar Pusa, Samastipur Through Its
Registrar
3. The Vice Chancellor, Rajendra Agriculture University, Bihar, Pusa,
Samastipur
4. The Registrar, Rajendra Agriculture University, Bihar, Pusa, Samastipur
5. The Comptroller, Rajendra Agriculture University, Bihar, Pusa, Samastipur
6. The Assistant Comptroller (Fund) Rajendra Agriculture University, Bihar,
Pusa, Samastipur
7. The Director, Administration Rajendra Agriculture University, Bihar, Pusa,
Samastipur



8. The Deputy Director, Administration Rajendra Agriculture University, Bihar, Pusa, Samastipur
9. The Director, Sugar Cane Research Institute, Pusa, District- Samastipur
10. The Assistant Comptroller, Sugar Cane Research Institute, Pusa, District- Samstipur

... ... Respondent/s

with

Civil Writ Jurisdiction Case No. 19929 of 2011

Dr. Chittranjan Prasad S/O Late Ram Chandra Prasad R/O Flat No. G/5 Aparajita Apartment, Khajepura, P.O.- Bihar Veterinary College, P.S.- Rajeev Nagar, Patna-14, Retired Senior Agronomist-Cum-Associate Professor, Millate, Tirhut College Of Agriculture, Dholi, District- Muzaffarpur

... ... Petitioner/s

Versus

1. The State Of Bihar Through Agriculture Production Commissioner, New Secretariat, Patna
2. The Rajendra Agriculture University, Bihar, Pusa, Samastipur, Through Its Registrar
3. The Vice Chancellor Rajendra Agriculture University, Bihar, Pusa, Samastipur
4. The Registrar, Rajendra Agriculture University, Bihar, Pusa, Samastipur
5. The Comptroller, Rajendra Agriculture University, Bihar, Pusa, Samastipur
6. The Assistant Comptroller (Fund) Rajendra Agriculture University, Bihar, Pusa, Samastipur
7. The Director, Administration, Rajendra Agriculture University, Bihar, Pusa, Samastipur
8. The Deputy Director, Administration Null Rajenra Agriculture University, Bihar, Pusa, Samastipur
9. The Associate Dean-Cum-Principal Tirhut College Of Agriculture, Dholi, Muzaffarpur, Bihar
10. The Assistant Comptroller, Tirhut College Of Agriculture, Dholi, Muzaffarpur, Bihar

... ... Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 3449 of 2012)

For the Petitioner/s : Mr. Mahesh Narayan Parbat, Sr. Advocate

For the State : Mr. Anjani Kumar AAG10

For the University : M. Chandra Mohan Singh

(In Civil Writ Jurisdiction Case No. 19840 of 2011)

For the Petitioner/s : Mr. Mahesh Narayan Parbat, Sr. Advocate

For the Respondent/s : Mr. Md. N. Hoda Khan SC18

(In Civil Writ Jurisdiction Case No. 19929 of 2011)

For the Petitioner/s : Mr. Mahesh Narayan Parbat

For the Respondent/s : Mr. Neeraj Raj, AC to GA 8

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY



ORAL ORDER

10 26-11-2018 Heard Mr. Mahesh Narayan Parbat, learned Senior Counsel representing the petitioners in this batch of writ petitions and Mr. Chandra Mohan Singh, learned counsel appearing for the respondent-University.

Mr. Parbat has submitted that the petitioners have obtained Ph.D. Degree and in terms of the policy decision the petitioners were entitled to two advance increments as incentive.

Mr. Chandra Mohan Singh, learned counsel representing the University submits that as per the policy decision the benefit of two advance increments as incentive is admissible in case where the incumbent has not availed the benefit of such Ph.D. degree in the matter of appointment or promotion. In the event any benefit was extended to the petitioners on account of obtaining Ph.D. degree they will not be entitled to two advance increments as incentive.

I have gone through the records placed by the learned counsel for the petitioners and have heard the learned counsel for the respondent-authorities for persuading the Court about the rival contentions. Considering the totality of the fact situation all the three writ applications are disposed of with a direction to the University to examine and ascertain as to whether the petitioners were granted the benefit of Ph.D. degree in the



matter of appointment or promotion. In the event no such benefit was extended to the petitioners at the time of appointment or promotion, the petitioners will be entitled to two advance increments as incentive as per the policy decision.

Necessary decision after affording opportunity of hearing shall be taken by the respondent-University within a period of four months from the date of receipt/production of a copy of this order.

It goes without saying that if the University finds that the petitioners have not been granted the benefit of Ph.D. degree in the matter of appointment or promotion, the petitioners would be granted the benefit of two advance increments within the time frame.

With the aforesaid, the writ applications are disposed of.

(Anil Kumar Upadhyay, J)

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