

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20269 of 2010

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Sharwan Kumar Singh S/O Late Bhola Singh R/O Vill.-Narsanda,
P.O.-Narsanda Via Harnaut, Distt.-Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Patna.
2. The Chief Secretary, Govt. Of Bihar, Patna.
3. Commissioner-Cum-Secretary, Human Resource Development Deptt., Govt. Of Bihar, Patna.
4. The A.N.Sinha Institute Of Social Studies, Patna Through Its Director.
5. The Director, A.N.Sinha Institute Of Social Studies, Patna.
6. The Registrar, A.N.Sinha Institute Of Social Studies, Patna.
7. Ms. Ahuja S/O Not Known Lecturer Of Sociology, A.N.Sinha Institute Of Social Studies, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Naresh Chandra Verma, Adv
For the State	:	Mr. Rakesh Ambastha, AC to AAG-7
For the Resp Nos. 4 to 6	:	Mr. Piyush Lall, Adv
For the U.G.C.	:	Mr. Amarendra Nath Verma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 03-12-2018

The petitioner has challenged the result/panel
published by A.N.Sinha Institute of Social Studies, Patna
for the post of Lecturer dated 29.07.2010 (Annexure-4)
which contains the list of selected candidates in different



faculties as well as for a further direction to appoint the petitioner on the post of Lecturer in the Department of Sociology after canceling the appointment of respondent No. 7. The aforesaid prayer has been made on the ground that the list has been prepared by ignoring the norms and the criteria set by the U.G.C. for the purposes of selection/appointment of Lecturers/Readers.

2. With the passage of time, respondent No. 7 has resigned from that post which has fallen vacant and the A.N. Sinha Institute of Social Studies has not come out with any fresh notification for filling up that post.

3. From the counter affidavit filed on behalf of the Institute (A.N. Sinha Institute of Social Studies), it appears that after the selection of respondent No. 7 viz. Ms. Anuja pursuant to the selection process held by the Institute, she joined on the aforesaid post and her services were confirmed by the Board of Control of the Institute way back in the year 2012. After she was selected for the appointment to the post of Assistant Professor in the discipline of Sociology in Jawaharlal



Nehru University, she has resigned from A.N. Sinha Institute.

4. Thus, it appears that the selection process in which respondent No. 7 was offered the post which she joined and was later confirmed, the petitioner was put at wait list no. 1.

5. Since the panel is of the year 2010, this court is not entering into any discussion with respect to the qualification of the petitioner and whether he was better suited for being appointed in place of respondent No. 7. Once the respondent No. 7 accepted the post, which acceptance was confirmed by the Board of the Institute, the entire Panel got exhausted. Even otherwise, a Panel would not survive for consideration for more than one year.

6. In the present case, ten years have passed by and it further appears that A.N. Sinha Institute of Social Studies has not taken any decision with respect to filling up that post.

7. In that view of the matter, the claim of the



petitioner for being appointed on that post cannot be countenanced and accepted.

8. The writ petition is dismissed.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07/12/2018
Transmission Date	07/12/2018

