

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19316 of 2014**

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Surendra Pati Tiwari Son of Late Shiv Shabhu Tiwary Resident of Village -  
Suraundha, P.S- Dumraon, District - Buxar

... .. Petitioner/s

Versus

1. Bihar Public Service Commission through its Secretary having office at Jawahar Lal Nehru Marg, Bailey Road, Patna
2. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna
3. The Director, Higher Education, Bihar, Patna null null
4. Veer Kuer Singh University through its Registrar having office at and P.O.- Ara, P.S.- Nawada, Distt - Bhojpur
5. D.K. College, Dumraon, Buxar through its Principal
6. The University Grant Commission through its Chairman, Bahadur Shah Zafar Marg, New Delhi - 110002

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 19416 of 2014**

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Dr. Shivendra Prasad son of Dharmendra Prasad resident of Mohalla - Pakki Goraiya, Patna City, Police Station - Khajekalan, Post Office - Patna City, District - Patna - 800008.

... .. Petitioner/s

Versus

1. Chancellor Governors Secretariat Raj Bhawan Patna, Bihar.
2. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
3. Principal Secretary, Education Department , Govt.of Bihar, Patna.
4. Chairman, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
5. Secretary, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
6. Joint Secretary cum Controller of Examination, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna - 800001.
7. Vice-Chancellor, Patna University, Patna.
8. Registrar, Patna University, Patna.
9. Vice - Chancellor, B.R. Ambedkar University, Muzaffarpur through its Registrar.
10. Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur through its Registrar.
11. Vice - Chancellor, Jai Prakash Narayan University, Chapra through its Registrar.
12. Vice - Chancellor, Lalit Narayan Mithila University, Darbhanga through its Registrar.
13. Vice - Chancellor, Magadh University, Bodh - Gaya through its Registrar.
14. Vice - Chancellor, Bhupendra Narayan Mandal University, Madhepura through its Registrar.



15. Vice - Chancellor, Vir Kunwar Singh University, Ara through its Registrar.
16. Vice - Chancellor, Kameshwar Singh Sanskrit University, Darbhanga through its Registrar. null null
17. Vice - Chancellor, Maulana Mazarul Haque Arabi Farsi University, Patna through its Registrar. null null
18. University Grants Commission, Bahadur Shah Zafar Marg, New Delhi through its Secretary. null null
19. Union of India through its Secretary, Ministry of Human Resource Development, New Delhi.

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 19396 of 2014**

Sampada Pandey W/o Sri Rajesh Pandey Resident of C-38, Patrakarnagar, Kankarbagh, Patna-800020

... .. Petitioner/s

Versus

1. The Bihar Public Service Commission through its Secretary having office at Jawahar Lal Nehru Marg, Bailey Road, Patna
2. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna
3. The Director, Higher Education, Bihar, Patna
4. The University Gran Commission through its Chairman, Bahadur Shah Zafar Marg, New Delhi -110002

... .. Respondent/s

**Appearance :**

(In Civil Writ Jurisdiction Case No. 19316 of 2014)

For the Petitioner/s : Mr. Nitesh Kumar  
For the Respondent/s : Mr. Sc6- Manindra Kishore Singh  
For BPSC : Mr. Sanjay Pandey

(In Civil Writ Jurisdiction Case No. 19416 of 2014)

For the Petitioner/s : Mr. Ajay Kumar  
For the Respondent/s : Mr. Sanjay Kumar(Asg)  
Mr. V.K. Singh

For the University : Mr. Rajesh Kumar Choudhary  
For UGC : Mr. Deepak Kumar

(In Civil Writ Jurisdiction Case No. 19396 of 2014)

For the Petitioner/s : Mr. Nitesh Kumar  
For the Respondent/s : Mr. S.A. Alam  
Mr. Digvijay Singh  
Mr. B. J. Jha  
Mr. Arvind Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2 27-09-2018

Heard learned counsel for the petitioners and the



counsels appearing on behalf of the State, Commission and the University.

The eligibility condition incorporated by the Commission for appointment was in terms of the statutory rule and despite sanction even in the judgment of the Apex Court in the case of **P. Susheela reported in (2015)8 SCC 129**, the subsequent clarification of the UGC is only applicable in subsequent selection process.

In view of the above, the writ petitions are disposed of with liberty to the petitioners to approach the recruitment agency if any subsequent years they did not consider the UGC guidelines in the matter of recognizing the Ph.D awarded prior to 2009 as equivalent to NET.

With the aforesaid liberty, the writ petitions stand disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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