

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.631 of 2015

In

Civil Writ Jurisdiction Case No. 713 of 2013

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Giridhar Kumar Shrivastava. Son of Late Kulendra Prasad Shrivastava.
Resident of K.D. Bhawan, Chitragupta Nagar, ward No. 25, P.S. and
District - Saharsa, at present Tabla Badak (Department of Music), Ramesh
Jha Mahila College, Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through Shri Amarjeet Sinha, Joint Secretary,
Education Department, Govt. of Bihar, Patna.
2. Binod Kumar, Vice Chancellor, B.N. Mandal University, Lalu Nagar,
Madhepura.
3. Kumaresh Prasad Singh, Registrar, B.N. Mandal University, Madhepura.
4. Rabindra Prasad Singh, Principal, Ramesh Jha Mahila College, Saharsa.
5. Chairman, Bihar Public Service Commission, Bailey Road, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund, Adv.

For the Respondent/s : Mr. Binita Singh, GP 13

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

17 14-09-2018

Mr. Pandey, learned counsel representing the Bihar
Public Service Commission, has produced before this Court an
amended copy of the Advertisement No. 07 of 2018 and submits
that now the petitioner is eligible to participate in the process.

In this view of the matter, a substantial compliance of
the order of the learned writ Court is admitted, however, learned
counsel for the petitioner points out that as per the order of the
learned writ Court, the University would be competent to consider
giving preference to the petitioner considering the services



rendered earlier by him.

This Court finds force in the submission of the learned counsel for the petitioner inasmuch as, it appears from the order of the learned writ Court that the learned writ Court has given an observation that “.....it will be open to the University to give him preference for the services rendered earlier by him at the time of final selection for Lecturer.....”

While disposing of this contempt application, this Court believes that the competent authority of the University shall keep in mind the spirit of the order of the learned writ Court and shall not disobey the same as it has been clearly observed by the learned writ Court in the writ order. In case, the petitioner will have any grievance with regard to compliance of the order of the learned writ Court by the University, it will be open for him to file a fresh contempt application.

This contempt application stands disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha.

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