

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21765 of 2012

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Amitabh Pathak, Son Of Late Anand Bhushan Pathak At Present Resident Of Chetnapuri, Police Station Maharajganj, District Siwan, At Present Posted And Working As Lowe Division Clerk In Ram Bilas Ganga Ram College, Maharajganj, District Siwan

... .. Petitioner/s

Versus

1. The Chancellor Of The Universities, Bihar, Raj Bhawan, Patna
2. The Vice Chancellor, Jai Prakash University, Chapra, District Saran
3. The Registrar, Jai Prakash University, Chapra, District- Saran
4. The Finance Officer, Jai Prakash University, Chapra, District Saran
5. The Principal, Ram Bilas Ganga Ram College, Maharajganj, District Siwan
6. Akhilesh Kumar Son Of Late Meghnath Singh At Present Posted And Working As Head Clerk-Cum-Accountant, Ram Bilas Ganga Ram College, Maharajganj, District Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Mishra
For the Respondent/s	:	Mr. Viveka Nandsingh
For Respondent No. 6	:	Mr. Ranjan Kumar Dubey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 25-10-2018 Heard learned counsel for the petitioner and learned counsel representing respondent no. 6.

The petitioner is aggrieved by non-consideration of his case for officiating incharge Head Clerk-cum-Accountant in Ram Bilas Ganga Ram College, Maharajganj, Siwan. Learned counsel appearing on behalf of the petitioner claims that he was asked to officiate on the post of Head Clerk-cum-Accountant but suddenly he was replaced by respondent no. 6 Akhilesh Kumar. He submits that ad-hocism has been continuing since last several years. Neither the petitioner nor respondent no. 6



has been appointed on regular basis as Head Clerk-cum-Accountant. His grievance is against the continuing ad-hocism when there is clear vacancy.

Learned counsel appearing for respondent no. 6 submits that he is not opposed to regular appointment on the post of Head Clerk-cum-Accountant and issuance of direction to the respondent-University to that effect. He submits that in fact this Court had occasion to deal with the issue in CWJC No. 12801 of 2014 (Akhilesh Kumar vs. The Chancellor of University, Bihar Raj Bhawan, Patna & Ors.) where this Court vide order dated 14.09.2018 issued direction for regular appointment on the post of Head Clerk-cum-Accountant from amongst eligible candidates.

Considering the fact that the Court has already issued direction in CWJC No. 12801 of 2014 by order dated 14.09.2018, the present writ petition is also disposed of with a direction to the University to take appropriate decision on the claim of the petitioner as well as respondent no. 6 and take appropriate decision with regard to appointment on regular basis on the post of Head Clerk-cum-Accountant in the college in question. Necessary decision will be taken by the University at the earliest, preferably within a period of four months from the



date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

mrl./-

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