

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13962 of 2012

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Dr.Ram Naresh Mishra, S/O Shiv Nandan Mishra Resident Of Village -
Bhagwanpur Desha, P.S. Ujiarpur, District - Samastipur , Presently Posted As
Reader In The Subject Of Mathili B.R.B. College, Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Higher Education, Government Of Bihar, Patna
3. The Vice-Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
6. The Principal, B.R.B. College, Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh
For the Respondent/s : Mr. Sanjay Kr. No.1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 11-09-2018 The present writ petition has been filed for quashing

the letter dated 28.07.2010, by which the date of initial

appointment of the petitioner has been shifted by two years

instead of taking the date of sanction of the post as the relevant

date for all purposes.

It is submitted by the learned counsel for the

petitioner that prior to passing of the impugned order dated

28.07.2010, no show cause notice was issued to the petitioner so

that the petitioner could raise his grievances before the

authority.



The learned counsel appearing for the respondents University submits that the impugned order has been passed without issuing any show cause notice, hence, it would be appropriate to consider the matter afresh.

In view of the aforesaid the present writ petition is allowed and the impugned order dated 28.07.2010 is quashed. It goes without saying that the respondent University shall issue show cause notice to the petitioner, whereafter, the petitioner shall submit his reply and only, thereafter, the University authorities would decide the case of the petitioner afresh, considering, the fact that 28 other similarly situated persons have already been considered to have been appointed from the date of sanction of the post.

(Mohit Kumar Shah, J)

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