

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24655 of 2013

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Bhola Pandey Bhaktisar, S/O Late Balmukund Pandey, Resident Of
Village- Jaitpur, P.S- Barhia, Distt- Lakhisarai.

.... Petitioner/s

Versus

1. The State Of Bihar The Principal Secretary Human Resources
Department, Bihar, Patna.
2. The Chancellor, Kameshwar Singh Darbhanga Sanskrit University,
Darbhanga.
3. The Kameshwar Singh Darbhanga Sanskrit University through its
Registrar, Darbhanga.
4. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit
University, Darbhanga.
5. The Secretary, Sri Ganesh Giriwardhari Sanskrit College Bakhtiyarpur,
Patna.
6. The Principal Incharge Sri Ganesh Giriwardhari Sanskrit College,
Bakhtiyarpur, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate
For the University : Mr. Gyanand Roy, Advocate
For the State : Mr. Mrigendra Kumar, AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-09-2018 Heard learned counsel for the petitioner and the

State.

Considering the nature of controversy involved in the

present application, learned counsel for the petitioner submits that



petitioner may be granted liberty to file objection against the appointment of Balmukund Mishra, as Principal of the College.

Mr. Rabindra Prasad Singh, learned counsel appearing on behalf of the petitioner submits that in terms of Annexure-9, one senior most teacher is required to be posted as Principal of the College. There is no post of Principal other than the teachers indicated in Annexure-9 is to work as Principal of the College and after the appointment of the petitioner, there is no post in the subject 'Vyakran' and as such the appointment of Balmukund Mishra is not only against Annexure-9 but it is beyond the staffic pattern. He submits that the action of the University is in teeth of Annexure-9 and as such liberty may be granted to the petitioner to approach the University who shall take decision as per law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to file representation before the Vice Chancellor of the University, who shall provide opportunity of hearing to the petitioner and Balmukund Mishra and after hearing the petitioner and Balmukund Mishra, the Vice Chancellor will take appropriate decision. The Vice Chancellor is required to consider Annexure-9 and pass appropriate order on the objection of the petitioner in the matter of appointment of Balmukund



Mishra, as Principal of the College in question. Necessary decision must be taken within the maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid liberty, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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