

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5107 of 2017

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Abrar Kazmi son of Md Nurul Hoda resident of At & P.O. - Parsauni, Police Station - Bisfi, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director (Higher Education), Bihar, Patna.
4. The Vice Chancellor, Veer Kunwar Singh University, Ara.
5. The Registrar, Veer Kunwar Singh University, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhuri Lata
For the Respondent/s : Mr. Ashutosh Ranjan Pandey-Aag15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-05-2018 Heard learned counsel for the petitioner and the counsel appearing on behalf of the respondents.

The prayer of the petitioner in the present writ application is for a direction to the respondents to grant approval of the appointment of the petitioner as Lecturer in the department of commerce on second post in Ram Kishore Singh College, Dalmianagar, Rohtas.

Learned counsel appearing on behalf of the petitioner with reference to various paragraphs submits that the case of the petitioner is pending for final decision on the point of approval for the last two decades and on account of indecisiveness of the University, the petitioner has to approach this court by filing the present writ application.



From the material available on record, the court finds in terms of University Act that primarily the University should take final decision and if the University decides one way or the other that may be a ground for adjudication by this court. The court finds that in the absence of any decision by the University, the court is not in a position to decide the lis and grant relief prayed in the present writ application.

Accordingly, the writ petition is disposed of with direction to the Vice-Chancellor, Veer Kunwar Singh University to take final decision with regard to claim of the petitioner for approval and if it is found that the petitioner is entitled to approval of his appointment of second phase in the Department of Commerce, the Vice Chancellor will take final decision in accordance with law by a reasoned speaking order within a period of three 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)

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