

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.1563 of 2017**

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Dr. Brahmachari Indrajit Prasad, Son of Late Shiv Sharan Prasad, R/o Mohalla-  
Mauna Banganj, P.O.- Chapra, P.S.- Chapra Town, Dist.- Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Higher Education, Govt. of Bihar, Patna.
2. The Vice Chancellor, Jai Prakash University Chapra.
3. The Jai Prakash University Chapra its Registrar.
4. The Principal, P.C. Vigyan College Chapra.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate  
For the Respondent/s : Mr. Anshuman Singh, AC to –AG  
For the J.P. University : Mr. Anjani Kumar, Sr. Advocate  
Mr. Nagendra Kr. Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL JUDGMENT**

**Date: 22-03-2018**

Heard learned counsel for the petitioner and State as  
well as University.

The grievance of the petitioner in the present writ  
application is non-consideration of his case for grant of time bound  
promotion under the then existing time bound promotion scheme.

Learned counsel for the petitioner, with reference to  
Annexures-1 and 2, submits that similarly circumstanced others have  
been granted benefit of time bound promotion, but in the case of the  
petitioner respondents have adopted different yardstick.

Learned counsel for the University is not in a position  
to dispute the claim that the petitioner is not entitled to and not



covered by the time bound promotion statute. He is also not in a position to submit that Ram Kishore Singh was wrongly granted time bound promotion, whose name figures along with the petitioner in Annexure-1. However, he submits that the University has not taken final decision as yet and the representation of the petitioner (Annexure-3) is pending before the Registrar of the University and as such he submits that the writ application may be disposed of with a direction to the Registrar of the University to take final decision as to the entitlement of the petitioner and if the University finds the claim of the petitioner justified, necessary consequential order may be passed by the University.

In view of the above, the writ application is disposed of with liberty to the petitioner to file fresh representation along with a copy of this order before the Registrar, J.P. University, Chapra within a period of one month from today. In case, such representation is filed by the petitioner, the respondent Registrar shall examine the claim of the petitioner in accordance with the then existing time bound promotion statute and pass appropriate order as to the entitlement of the petitioner.

In case, the Registrar of J.P. University finds the claim of the petitioner for grant of time bound promotion is justified, necessary consequential order shall be passed by the respondent



Registrar within a further period of sixty days.

It goes without saying that the respondent University on admitting the claim of the petitioner for grant of time bound promotion shall take necessary step to ensure payment of monetary benefits arising out of such adjudication by the Registrar of J.P. University.

**(Anil Kumar Upadhyay, J)**

Uday/-

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