

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7339 of 2011

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Dr. Yoganand Das Son Of Late Pulkit Lal Das Resident Of- Belharahi, P.S.
Jhanjharur, Distt. Madhubani, Presently Residing In Mithila Colony Danapur,
P.S. Danapur, Distt. Patna And Working On The Post Of Reader
(REDESIGNATED As Associate Professor), In Physics Deptt., B.S. College,
Danapur, Patna

... .. Petitioner/S

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Human Resources, Govt. Of Bihar,
Patna
3. Secretary Higher Education Department Of Human Resources Govt. Of
Bihar, Patna
4. Magadh University Through Its Vice Chancellor At Bodh Gaya, Gaya
5. The Vice Chancellor, Magadh University At Bodh Gaya ,GAYA
6. The Registrar Magadh University Bodh Gaya, Gaya
7. Finance Officer, Magadh University At Bodh Gaya ,GAYA
8. Principal, B.S. College, Danapur (A Constituent Unit Of The Magadh
University), Danapur, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Sinha, Advocate
For the State	:	Mr. Raghwanand, GA-11
		Mr. Sanjay Kumar Tiwari, AC to GA-11
For the University	:	Dr. Kumar Amitesh Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 02-07-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State as well as the University.



2. The only rub in this writ petition is that whether the petitioner is entitled to be promoted in 1979 or from a subsequent date i.e. 10.03.1982.

3. Counsel for the petitioner in the changed circumstances, i.e. after superannuation of the petitioner, is not making any issue in the present writ petition. He submits that the petitioner is prepared to accept 10.3.1982 as the date of acquiring eligibility for grant of promotion as Lecturer and the other benefits from 10.3.1990 which is admitted to be the date of eligibility acquired by the petitioner by all concerned including the respondents.

4. In view of the above, the writ petition is disposed of with the direction to the University to work out the entitlement of the petitioner as Lecturer and Reader not from the date the University has earlier granted but from the date as undisputedly the petitioner has acquired eligibility for grant of promotion as Lecturer and Reader i.e. 10.3.1982 and 10.3.1990 respectively.

5. In view of the above, the petitioner is hereby directed to file an exhaustive representation indicating his eligibility, which is accepted by the respondents, for grant of promotion as Lecturer and Reader and on such filing of representation along with a copy of this order, the respondents are hereby directed to make



necessary correction in the date of eligibility and grant promotion to the petitioner as Lecturer and Reader within a period of 60 days and entire consequential benefits must reach the petitioner within a period of four months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.07.2018
Transmission Date	

