

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3268 of 2018

Arising out of

Miscellaneous Jurisdiction Case No.3071 of 2012

Dr. Asrar Ahmad, Son of Late Anwar Ahmad, Resident of M.M Colony, P.O.
and P.S. and District- Siwan.

... .. Petitioner/s

Versus

1. Jai Prakash University, Chapra, through Shri Kedar Harijan, Registrar, District Saran at Chapra.
2. The Registrar, Shri Kedar Harijan, Jai Prakash University, Chapra, District- Saran at Chapra.
3. Dr. Harikesh Singh, the Vice-Chancellor, Jai Prakash University, Chapra, District- Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Senior Advocate
Mr. Shubh Narain Singh, Advocate

For the J.P. University : Mr. Anjani Kumar, Senior Advocate
Mr. Nagendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 23-08-2019

Heard learned counsel for the petitioner and learned counsel for the J.P. University (hereinafter referred to as the 'University').

2. Pursuant to the previous order, the Vice Chancellor and Registrar of the University are present. Supplementary show cause has also been filed on their behalf.

3. At the very outset, the Vice Chancellor submitted that in terms of the direction of the Court to consider the case of the



petitioner for Time Bound Promotion to the post of Professor has been rejected on the ground that he was not fulfilling the requisite criteria. However, he also submitted that under the existing merit promotion as well as under the Career Advancement Scheme (CAS) or any other scheme under which he may be covered, he should first formally apply to the University before a decision can be taken on merits on that application. He clarified that such application should be in consonance with the scheme which was applicable till the date of superannuation of the petitioner as whatever has come after that shall not be applicable in the case of the petitioner.

4. The Court finds such stand by the Vice Chancellor to be fair and reasonable.

5. Faced with the situation, learned counsel for the petitioner agreed that he would be applying within four weeks for such promotion under the scheme in which he may be entitled for consideration for such promotion.

6. Accordingly, the application stands disposed off with liberty to the petitioner to make a specific application to the Vice Chancellor of the University within four weeks from today. If the same is done, the Vice Chancellor shall look into the matter and



pass a reasoned order within two months from the date of filing of such representation.

7. It goes without saying that if the petitioner is found entitled to the benefit asked for, the consequence thereof, including the monetary benefit, shall also be paid to him within the next one month.

8. Personal appearance of the Vice Chancellor and the Registrar stands dispensed with.

(Ahsanuddin Amanullah, J)

Anjani/-

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