

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4960 of 2014

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Hridesh Kumar Jha Son of Shri Sitamber Jha, Resident of Out House of
Bunglow No. 13, Rau, Pusa, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Human Resources Department,
Government Of Bihar, New Secretariat, Bailey Road, Patna
2. The Vice-Chancellor, Rajendra Agricultural University, Bihar, Pusa,
Samastipur
3. The Director, Administration, Rajendra Agricultural University, Bihar, Pusa,
Samastipur
4. Officer-In-Charge, Recruitment, Rajendra Agricultural University, Bihar,
Pusa, Samastipur
5. The Director, Students Welfare, Rajendra Agricultural University, Bihar, Pusa,
Samastipur
6. Hemant Kumar, Son of not Known to the Petitioner, Record Keeper, Rajendra
Agricultural University (Hq), Estate- Pusa, District- Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Giri, Adv.
For the Respondent- State:		Mr.Lala S.N. Rais, AC to G.P.2
For the University	:	Mr. Chandra Mohan Singh, Adv.
For the Respondent No.6	:	Mr. Naresh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 07-01-2019

The petitioner by way of the present writ petition has
prayed for appointing him on the post of Record Keeper after his
final selection in pursuance of the Advertisement No.01/2012
dated 11.01.2012.

2. The case of the petitioner is that the petitioner was
appointed, after having been found successful, subsequently his
appointment was being disturbed by the respondents on the ground
that the experience certificate issued to the petitioner does not
depict the correct position on facts.



3. The learned counsel for the State has submitted that the experience certificate produced by the petitioner does not depict the correct position since the number of years for which the petitioner has worked on muster roll is actually less than what has been depicted in the said certificate, hence after the said discrepancy was found, it was directed that the respondent no.6 should be appointed. The learned counsel for the respondent no.6 has made the submission in similar fashion.

4. On the contrary, the learned counsel for the petitioner has submitted that the appointment of the petitioner is of the year 1982 and not of the year 1980 as has been confirmed by the official of the University itself. However, the learned counsel for the respondents has disputed the said submission and has stated that the petitioner was appointed in the year 1980 and at the time of engagement as casual labour he was aged about 16 years and he was minor.

5. In view of the rival contentions made by the learned counsel for the parties, taking into account the fact that several disputed question of facts have arisen in the present case as also considering the fact that a decision has already been taken by the Vice-Chancellor of the University, this Court is of the opinion that at best this matter can be adjudicated by the Hon'ble Chancellor of



the University, after hearing the respective parties and taking evidence, if necessary.

6. Having regard to the facts and circumstances of the case, this Court grants liberty to the petitioner to approach the Hon'ble Chancellor by filing an appropriate petition along with all the relevant proof to show that the experience certificates filed by the petitioner are genuine and he has also worked for the requisite number of days on muster roll as also for assailing the order of the Vice Chancellor dated 20/21.01.2014. It is further observed that the Hon'ble Chancellor shall adjudicate upon the petition to be filed by the petitioner, after hearing the relevant parties as also the private respondents and would also take recourse to recording of evidence, if necessary.

7. The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.1.2019
Transmission Date	N/A

