

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14245 of 2018

Dr. Kanhaiya Rai Son of Late Kundan Rai, Resident of Village- Narayanpur
P.O.- Balthari, District- Rohtas, Presently posted as Head of Department of
Economics A. S. College, Bikramganj District- Rohtas.

... .. Petitioner/s

Versus

1. The Veer Kunwar Singh University , Ara Through Its Registrar and Ors
2. The Vice Chancellor, Veer Kunwar Singh University, Ara.
3. The Registrar, Veer Kunwar Singh University, Ara.
4. The Financial Advisor, Veer Kunwar Singh University, Ara.
5. The Bursar, A.S. College Bikramganj District Rohtas.
6. Dr. Sudhanshu Shekhar Bhaskaran, Prof-in-Charge, A.S. College
Bikramganj, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Harsh Anuj
For the Respondent/s	:	Mr.Prabhat Kumar Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 11-04-2019 The present writ petition has been filed for quashing
the notification dated 12.7.2018 issued by the respondent no.3
whereby and whereunder the respondent no.6 has been
appointed as Professor-in-charge of A.S. College, Bikramganj,
replacing the petitioner herein.

At the outset, the learned Senior counsel appearing for
the University has suggested that the matter may be remanded
back to the Vice-chancellor of the University for reconsideration
of the matter inasmuch as the notification dated 12.7.2018 has
been issued, not only without hearing the petitioner herein but



also without application of independent mind, since the decision of the Vice-Chancellor is based on a legal opinion.

The learned counsel for the respondent no.6 does not have any objection to the said offer made by the learned Senior counsel for the University, however, he submits that even if this Court quashes the said notification dated 12.7.2018, the respondent no.6 be allowed to hold the said post till the final decision is taken by the Vice Chancellor.

Having regard to the aforesaid submissions and the agreement arrived at in between the parties as also considering the fact that neither the petitioner nor the respondent no.6 have been granted any opportunity of being heard by the Vice Chancellor of Veer Kunwar Singh University nor the Vice-Chancellor has applied his independent mind, I deem it fit and proper to quash the notification dated 12.7.2018 passed by the Registrar of the Veer Kunwar Singh University and remand the matter back to the Vice Chancellor for reconsideration and passing of a fresh order, after hearing the petitioner and the respondent no.6 so that the legal issues involved in the present case can be thrashed out. It is directed accordingly.

It is needless to state that the petitioner and the respondent no.6 shall appear before the Vice Chancellor of the



University and file an appropriate representation within a period of two weeks from today, whereafter the final decision shall be taken by the Vice Chancellor within a period of six weeks thereafter, after hearing the respective parties, however, in the meantime, the respondent no.6 shall continue on the post of Professor-in-charge of A.S. College, Bikramganj, till the passing of the final order by the Vice Chancellor.

The present writ petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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