

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10012 of 2011

1. Prabhat Kumar, S/O Late Indradeo Prasad Singh, R/o U/463, Kankarbagh Colony, Patna - 20, P.S. - Kankarbagh, Towan & Distt- Patna
2. Sunil Kuamr, S/o Late Surendra Singh presently posted As Agriculture Inspector, Sugarcare Research Institute, Pusa, P.S. - Pusa, Distt. - Samastipur

... .. Petitioner/s

Versus

1. The Rajendra Agricultural University, Bihar through its Registrar, having its Head Quarter at Pusa, P.S. - Pusa, Post Office - Pusa, Distt. - Samastipur
2. The Vice Chancelleor, Rajendra Agriculture University, Bihar At Pusa, P.S. - Pusa, Post Office - Pusa, Distt. - Samastipur
3. The Registrar, Rajendra Agriculture University, Bihar At Pusa, P.S. - Pusa, Post Office - Pusa, Distt. - Samastipur
4. The Director Of Administration, Rajendra Agriculture University, Bihar At Pusa, P.S. - Pusa, Post Office - Pusa, Distt. - Samastipur
5. The State Of Bihar Through Agriculture Production Commissioner, Department Of Agriculture, Govt. Of Biahrr, Patna
6. The Agriculture Production Commissioner, Department Of Agriculture, Govt. Of Biahrr, Patna
7. Bihar Agricultural University, Sabour, Bhagalpur, through its Registrar,
8. Vice-Chancellor Bihar Agricultural University, Sabour, Bhagalpur, (813210)
9. Office-in-charge (Recruitment) Bihar Agricultural University Sabour, Bhagalpur (813210).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mukul Sinha, Adv
For the Respondent/s	:	Mr. D.K. singh, Sr. Adv, Mr. Pavan Kumar, Adv.

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence).

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 18-08-2020

Heard parties.



Petitioners have prayed for following reliefs:-

“This is an application for declaring the entire insertion/amendment made in Claus 14.1(b) of the Rajendra Agriculture University Statute (for short the statute) as ultra-vires made in pursuance of the recommendation of the Board of Management of Rajendra Agriculture University in its 79th meeting dated 09.12.2010 and duly notified through Gazette notification dated 17th March 2011 after obtaining assent by the Hon’ble Chancellor of University.

The petitioners also pray for an appropriate writ/order/direction to the respondents to fix a fair, equitable, reasonable and proportionate quota for promotion of Agriculture Inspectors and others equivalent post holders in the cadre of Assistant Professor-cum-Junior-Scientist and other equivalent posts in the services of Rajendra Agriculture University, and for a further direction to adopt the procedure for such promotion as recommended by the University vide communication dated 30.09.2008 which was duly approved by the State Government and a direction was given to the University vide communication dated



24.06.2009 to go ahead for such promotion in pursuance of clause 14.1(b).”

Petitioners are Agriculture Inspectors and are in service of Rajendra Agriculture University, Pusa, as well as Bihar Agriculture University, Sabour since 1989-90 and have challenged Amendment of clause 14.1(b) of the statute of Rajendra Agriculture University, Pusa, providing 5 % of the vacant post in the grade of Assistant Professor-cum-Junior Scientist to be filled up from promotion of Agriculture Inspector and other equivalent posts holders.

During pendency of writ petition Advertisement No. 14/11 dated 02.12.2011 was issued to fill-up the post of Assistant Professor-cum-Junior Scientist in which 5 % quota was provided for appointment on the post of Assistant Professor- cum-Junior Scientist from Agriculture Inspectors.

Petitioner no.1 was appointed on the post of Assistant Professor however, petitioner no.2 was not successful and all the vacancies got filled. During pendency of writ petition Rajendra Agriculture University, Pusa , Bihar was made Central University as such present petition has become infructuous. However, if any grievance of the petitioner no.2 still survives, liberty reserve to him to take recourse to such remedies as are



otherwise available in accordance with law.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/-

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

