

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21378 of 2019

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Manoj Kumar, son of Late Ram Saran Singh, Resident of Mohalla-Powerganj,
Bairagi, Surkhi Mill, P.S.-Delha, District-Gaya.

... .. Petitioner/s

Versus

1. The Vice Chancellor, Magadh University, Bodh Gaya.
2. The Secretary, Magadh University, Bodh Gaya.
3. The Registrar, Magadh University, Bodh Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha
For the Respondent/s : Mr. Ritesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-01-2020 Heard the learned counsel for the parties.

The petitioner has challenged the order dated 28.08.2018 passed by the Registrar of the Magadh University, Bodh Gaya whereby his application for being considered for compassionate appointment has been rejected mechanically.

From the perusal of the order impugned, it appears that a composite order has been passed with respect to seven such applicants, out of whom, many applicants did not have the basic/requisite qualification for being considered for such appointment. So far as the



petitioner is concerned, though he was 41 years of age at the time of his consideration but the university was required to consider giving relaxation of age to the petitioner in the event of considering his claim for compassionate appointment. That not having been done and no specific ground for such denial being specified in the order, it cannot be sustained in the eyes of law. The order dated 28.08.2018 passed by the Registrar of the Magadh University, Bodh Gaya with respect to the petitioner is therefore set aside.

The matter is remitted to the Registrar of the Magadh University, Bodh Gaya/respondent No. 3 for writing out a fresh order in accordance with law.

In order to facilitate the exercise, the petitioner is directed to make a fresh application along with relevant documents in support of his claim for being considered for appointment on compassionate ground within a period of three weeks from today. On receipt of such representation/application, the concerned



respondent shall apply himself to the facts of the case and pass a reasoned order in accordance with law and in terms of the policy of the University for providing compassionate appointment. This order shall be passed within a period of three months of the receipt of such representation of the petitioner.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

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