

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24445 of 2019

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Shashi Bhushan Kumar, Son of Kapil Dev Singh, resident of Mathurapur
Kabirchak Police Station- Sadar Block District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Higher Education Government of Bihar, Patna.
2. The Director Higher Education Government of Bihar Patna.
3. The Vice Chancellor Lalit Narayan Mithila University Darbhanga.
4. The Registrar Lalit Narayan Mithila University Darbhanga.
5. The Principal, R.K. College, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar
For the Respondent/s	:	Mr.Ashutosh Ranjan Pandey (AAG15)
		Mr. Priydarshi Matri Sharan, A.C. to AAG 15
For the L.N.M.U.	:	Mr. Md. Nadim Seraj

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-01-2020 Heard both sides.

The petitioner seeks relief for issuance of a writ of certiorari quashing the Advt. No. B.Ed. 01/2019 dated 27.11.2019 published in the daily newspaper “Hindustan” dated 28.11.2019 by the Principal, R.K.College, Madhubani inviting applications of eligible candidates for appointment to the post of Head/Assistant Professor in B.Ed. Department, R.K.College, Madhubani running under self financing scheme, without considering the fact that the petitioner is on lien to the post of Head in B.Ed. Department and/or pass such other order/orders, direction/directions as your lordships may deem fit and proper.



Learned counsel for the petitioner submits that petitioner was working on the post of Assistant Professor in the department of Geography, R.K.College, Madhubani. The petitioner is deputed as Head, Department of Education in R.K.College, Madhubani vide letter No.PC 35/13 dated 24.06.2013 issued by the Principal R.K.College, Madhubani under Lalit Narayan Mithila University. It is further submitted that the petitioner was working temporarily on the post of Assistant Professor, in the department of Geography and if the lien/or deputation of the petitioner from the post of Head, Department of Education is terminated, the petitioner may be forced to work on the temporary post of Assistant Professor and then the advertisement issued for appointment of Head, Department of Education may be stayed and the petitioner be allowed to continue on the post on deputation/or on lien but I find no substance in the submission and the same cannot be accepted simply because the petitioner was duly appointed on the temporary post of Assistant Professor, Geography. Subsequently, when the Department of Education for B.Ed. Course was started, petitioner was deputed to work as Head, Department of Education. Mere deputation of the petitioner on a particular post does not give any right to the petitioner to be



absorbed on the post and thus, fresh advertisement for appointment of Head of Department of Education cannot be stopped. Thus, I do not find any merit in the case. The writ petition is dismissed.

(Prabhat Kumar Jha, J)

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