

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22131 of 2018

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Santosh Kumar S/o Rambriksh Mallik, Resident of Village- Malinagar
Bargama, PO- Malinagar, PS- Chakmehasi, District- Samastipur.

... .. Petitioner/s

Versus

1. Dr. Rajendra Prasad Central Agricultural University and Ors
2. The Vice Chancellor of Dr. Rajendra Prasad Central Agricultural University, Pussa Samastipur.
3. The Registrar, Dr. Rajendra Prasad Central Agricultural University, Pussa Samastipur.
4. The Director Administrative Dr. Rajendra Prasad Central University, Pussa, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash Dwivedi, Adv.
For the Respondent/s : Mr. D.K.Sinha, Sr. Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 22-11-2021 Heard, Mr. Jitendra Kumar for the petitioner and

Mr. D.K.Sinha, learned senior advocate for respondent nos.

1 to 4.

The petitioner has challenged the appointment of Fieldman on the ground that though the advertisement was published for 11 posts with only six posts as Unreserved, 3 posts for the O.B.C. category and two posts for the S.C. category. The list of successful candidates published by the respondents included only one person from the S.C. category.



The learned counsel for the petitioner, therefore, submits that the result published against the aforesaid advertisement is absolutely contrary to the terms of the advertisement .

In response to the aforesaid contention, it has been urged before this Court that the then Rajendra Agriculture University, Pusa which was established under the Rajendra Agriculture University Act, 1971, which later stood repealed by Bihar Agriculture University Act, 1986. The Institute now is a Central Government Institute and in accordance with the MOU signed between the Govt. of India and the Govt. of Bihar, the Central Government Rule with respect to roster is applicable. Since a mistake had crept in the Advertisement No. 1/2016, advertising 11 posts of Fieldman with two posts in the S.C. category, a corrigendum was taken out with new allocation of the reserved seats. According to the Central Government Regulation, the posts reserved for the schedule caste in such advertisement for 11 posts is only 01 and, therefore, only one person has been recommended for being appointed as Fieldman. The fact that



one person who has been recommended in the S.C. category on the post of Fieldman has more marks than the petitioner, has not been controverted.

In view of the aforesaid stand of the University, the petitioner has not made out a case for interference. The petition appears to be misconceived and is, therefore, dismissed.

No order as to costs.

(Ashutosh Kumar, J)

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