

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10264 of 2021

Prasenjit Sutradhar Son of Ashok Sutradhar Resident of Village and P.O. - Palsa, P.S. Labpur, District Birbhum, West Bengal at present posted in P.G. Department of Sahitya, K.S.D.S. University, Kameshwar Nagar, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities, Bihar.
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice - Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10376 of 2021

Dr. Pramod Kumar Mishra Son of Devkant Mishra Resident of Village and P.S. - Arer P.O. - Arer Hat, District Madhubani at present Part Time Assistant Professor in the Department of Sahitya, M.A. Rameshwar Lata Sanskrit Mahavidyalaya, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar.
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice- Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.



... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10410 of 2021

Dr. Alok Kumar Singh Son of Parmatma Nand Singh Resident of 36/6, Vivek Nagar, Susuwahi, Varansi- 221011 at present working as Part Time Assistant Professor in P.G. Department of Buddhist Philosophy (Pali), Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar.
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice- Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10428 of 2021

Dr. Saraswati Kumari Gunjeshwar Thakur Resident of 18, Mishra Tola, P.O.- Lalbagh, District Darbhanga at Present Working as Part Time Assistant Professor in the Department of Jyotish, Madneshwar Nath Sanskrit Mahavidyalaya, Madneshwar Asthan, Madhubani.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga



6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10518 of 2021

Dr. Santosh Kumar Pathak Son of Narayan Pathak Resident of Mohalla-
Belashankar, Ward No. 03, North of P.T.C. Bankers Colony, P.O.- Lalbagh,
District Darbhanga at present working as Part Time Assistant Professor in the
Department of Jyotish, Jagdamba Sanskrit Mahavidyalaya, Batho, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar.
2. The Bihar State University Service Commission through its Secretary,
Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha
Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through
its Registrar.
5. The Vice- Chancellor, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10558 of 2021

Dr. Maya Kumari D/o Durga Nath Mishra Resident of Mohalla-Shubhankar,
Near Badri Narayan Mandir, District Darbhanga, Pin 846006 at Present
Working as Part Time Assistant professor in P.G. Department of Philosophy.
Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor of the University, Bihar.
2. The Bihar State university Service Commission through its Secretary,
Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha
Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through
its Registrar.



5. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10575 of 2021

Dr. Renu Jha Daughter of Chaturbhuj Jha Resident of Village - Nazirpur Belahi, P.O. - Nazirpur Belahi, P.S. - Rahika (Kaluwahi), District-Madhubani, Bihar, Pin - 847215 at present working as Part Time Assistant Professor in the Department of Sahitya, Nagrjuna Umesh Sanskrit Mahavidyalaya, Tarauni, Darbhanga.

... .. Petitioner/s

Versus

1. The Office of the Chancellor of the Universities, Bihar Bihar.
2. The Bihar State University Service Commission through its Secretary, Budha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice - Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, kameshwar Nagar, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10655 of 2021

Dr. Srinivas Sharma Son of Sri Kamal Kishore Sharma Resident of Village-Rukunpura, P.O.- Shankarpur Imamganj, Via- Jehanabad, District- Patna at present working as Part Time Assistant Professor in the Department of Vaiyakaran Mahant Keshav Sanskrit Mahavidyalaya, Fatuha, Patna.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar.
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through



its Registrar.

5. The Vice- Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10747 of 2021

Dr. Prashant Kumar Prasun Son of Late Yogendra Prasad Chouhan Resident of Mohalla- Bakerganj, Nautharwa, P.O.- Laheriasarai, District- Darbhanga at present Part Time Assistant Professor in the Department of Sociology, L.N.R. Sanskrit Mahavidyalaya, Jaideopatti, Darbhanga

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar
2. The Bihar State University Service Commission, through its Secretary, Buddha Marg, Patna
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar
5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10892 of 2021

Priyanka Tiwari D/o Nand Kishori Tiwari Resident of Village- Goswami Tola Dhekaha, P.O.- Dhekha Bazar and P.S.- Pipra Kothi, District- East Champaran, Pin 845401 at present working as Part Time Assistant Professor in P.G. Department of Vaiyakaran Kameshwar Singh Sanskrit University, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar.
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.



4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice- Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 11273 of 2021

Dr. Mukesh Prasad Nirala, Son of Late Ramvilas Yadav Resident of Vilage and P.S.-Alinagar, District-Darbhangha at Present Working as Part Time Assistant Professor in the Department of Political Science, M.A. Rameshwarlata Sanskrit Mahavidyalaya, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor ot the Universities, Bihar.
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission, Buddha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, kameshwar Nagar, Darbhanga.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 15344 of 2021

Dr. Rajesh Kumar Singh Son of Sri Ram Nagina Singh Resident of Village-Pandey Pipra, P.O.-Shukta Pipra, P.S.-Mohania, District-Kaimur (Bhabhua) at Present Working as Part Time Assistant Professor In P.G. Department of Sarv Darshan Naya, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities, Bihar.
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, The Bihar State University Service Commission,Buddha Marg, Patna.



4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar Darbhanga
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 15732 of 2021

Dr. Mahbir Jha Son of Sri Shivendra Jha, Resident of Village-Karnpur, P.S.-Supaul, District-Supaul, District-Supaul, Bihar, Pin 852131 at Present Working as Part Time Assistant Professor in the department of Vaiyakaran, Ugratara Bharti Mandan Sanskrit Mahavidyala, Mahishi, Saharsa.

... .. Petitioner/s

Versus

1. The Chancellor of the Universities Bihar
2. The Bihar State University Service Commission through its Secretary, Buddha Marg, Patna.
3. The Chairman, the Bihar State University Service Commission, Budha Marg, Patna.
4. The Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its Registrar.
5. The Vice -Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 10264 of 2021)

For the Petitioner/s : Mr. Binod Kumar Jha, Adv, with
Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
For BSUSC : Mr. Pawan Kr. Choudhary, Adv.
For the University : Mr. Awadhesh Pd. Sinha, Adv. With
Mr. Gyanand Roy, Adv. With
Mr. Binodanand Mahto, Adv.

(In Civil Writ Jurisdiction Case No. 10376 of 2021)

For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.

(In Civil Writ Jurisdiction Case No. 10410 of 2021)

For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.

(In Civil Writ Jurisdiction Case No. 10428 of 2021)



For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 10518 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.
(In Civil Writ Jurisdiction Case No. 10558 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 10575 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 10655 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 10747 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 10892 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 11273 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 15344 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.
(In Civil Writ Jurisdiction Case No. 15732 of 2021)
For the Petitioner/s : Mr.Ugranath Mallik, Adv.
For the Respondent/s : Mr.Rajendra Kumar Giri, Adv.

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 20-07-2022

1. Heard the parties.

2. The petitioners are prayed as under:-

“That this is an application for issuance of a writ of mandamus directing/commanding the respondents to regularize the service of the petitioners against the sanction posts of Assistant Professor in P.G. Department of Sahitya, Kameshwar Singh Darbhanga Sanskrit University because the petitioner has been appointed after facing due selection process and working as Assistant Professor since 31.07.2018 regularly,



sincerely, honestly and with full integrity and there is no adverse report against the petitioner.”

3. Admittedly, the petitioners are working on purely contractual basis as Assistant Professors/ Part Time Lecturers in various colleges under the respondents University.

4. It is noticed that the Bihar Public Service Commission has already issued an advertisement for regular selections for the post of Assistant Professors, for which the petitioners can always apply.

5. The persons who are appointed by back door method will have to leave through back door alone and cannot be regularized. Selection process adopted by the Bihar State University Service Commission is the only mode and method of appointing Assistant Professors on regular basis. Everyone gets a fair chance to participate and transparency is maintained.

6. In view thereof, leaving the petitioners to participate in the selection process, provided the last date has not expired, these writ petitions are dismissed as the petitioners cannot be regularized as regular Assistant Professors/Lecturers if they have worked on part time basis for a long period as held in **Secretary State of Karnataka & Ors. Vrs. Umadevi (3) & Ors., 2006 (4) SCC 1.**



7. It is however made clear that if there are posts lying vacant even after regular selections are made, the petitioners shall not be replaced by another set of Part Time Assistant Professors and will be allowed to continue and the present order shall not come as a prejudice to them.

8. These writ petitions stands dismissed accordingly.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 75

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