

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.893 of 2022
In
Civil Writ Jurisdiction Case No.21816 of 2018

Binay Kumar Mishra Son of Late Badri Narayan Mishra Resident of Shreenath Niketan, P.O. and P.S.- Hazaribagh Sadar, District- Hazaribagh Jharkhand 825301 at present posted as Professor, Department of Physics, Maharaja College, Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary High Education, Government of Bihar, Main Secretariat, Patna.
2. The Principal Secretary Human Resource Development Department, New Secretariat, Patna, Bihar.
3. The Chancellor University of Bihar Patna.
4. The University Grants Commission Through the Secretary Bahadur Shah Zafar Marg, New Delhi- 110002.
5. The Secretary University Grants Commission Bahadur Shah Zafar Marg, New Delhi- 110002.
6. The Vir Kunwar Singh University Bhojpur, Ara through its Vice Chancellor Ara, Bhojpur.
7. The Vice Chancellor Vir Kunwar Singh University, Bhojpur, Ara.
8. The Registrar Vir Kunwar Singh University, Bhojpur, Ara.
9. The Secretary Annada College, Hazaribagh.
10. The Principal Annada College, Hazaribagh.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra, Advocate
For the Opposite Party/s : Smt. Binita Singh (Standing Counsel-28)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-08-2022 The present petition has been filed for modification of the order dated 04.02.2019 passed in CWJC No. 21816 of 2018 to the extent that the time granted to the petitioner to file representation before the respondent no. 7 i.e the Vice Chancellor, Veer Kunwar Singh University, Bhojpur at Ara, be extended by a further period of six weeks from today.

The learned counsel for the petitioner submits that



though the petitioner had filed a representation immediately before the respondent no. 7, however, the respondent no. 7 vide order dated 04.04.2019 has rejected the representation of the petitioner on account of the representation having not been filed within the time limit granted by this Court. It is submitted that the petitioner had again filed a fresh writ petition, however, a coordinate Bench of this Court by an order dated 25.04.2022 passed in C.W.J.C. No. 18648 of 2021, has though permitted the petitioner to withdraw the writ petition, however, liberty has been granted for seeking modification of the order dated 04.02.2019. This is how the petitioner is before this Court.

The learned counsel for the respondents have got no objection in case the time period granted for filing representation to the petitioner, is extended, however, it is submitted that the petitioner be put to strict terms.

Having regard to the facts and circumstances of the present case, the present modification petition stands allowed and the order dated 04.02.2019, passed by this Court in C.W.J.C. No. 21816 of 2018 is modified to the extent that the time granted to the petitioner for filing appropriate representation before the respondent no. 7 is extended by a further period of six weeks from today. The rest of the order



dated 04.02.2019 shall remain the same, meaning thereby that in case appropriate representation is filed by the petitioner within a period of six weeks from today, the same shall be considered in accordance with law and decided by the respondent no. 7 on merits within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

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