

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20530 of 2021

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1. Uttam Paswan S/o Late Jhibri Paswan Resident of Village - Bhawanpura Tola, P.O. and P.S. - Chausa, Dist- Madhepura.
 2. Binod Ranjan S/o Harakhlal Paswan Resident of village - Bariyarpur Basti, P.O. and P.s. - Bariyarpur, Dist- Munger.
 3. Santosh Kumar Paswan S/o Jharilal Paswan Resident of Village - Mahesi, P.S. - Sultanganj, Dist- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Higher Education, Government of Bihar, Patna.
3. The Tilka Manjhi Bhagalpur University, Bhagalpur through its registrar.
4. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. The Principal, G.B. College, Naugachia at Naugachia.
7. The Principal M.A.M College, Naugachia at Naugachia.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Adv.
For the Respondent/s : Mr. (AAG 15)

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 13-10-2022 1. The petitioner assails the order dated 13th March 2020 whereby the services as a guest faculty teacher have been disengaged with immediate effect based on the fact that a panel of teachers from the Bihar Public Service Commission has already been received.

2. Learned counsel submits that there are posts lying vacant with the respondents. However, he has been unable to



prove the said fact by placing any document to show that the post was lying vacant at the time when their services were disengaged.

3. A guest faculty teacher does not have a right of continuance in service. Substantively he or she has to make room to a regularly selected candidate. Of course till there are vacancies available and no regularly selected candidate is made available the guest faculty teacher may be allowed to continue.

4. In the present facts of the case as a panel of teachers from the Bihar Public Service Commission has been made available to the Tilka Manjhi Bhagalpur University the claim of the petitioner to continue as a guest faculty fails.

5. Accordingly no case is made out to set aside the order dated 13th March 2020. The writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

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Item no. 52

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