

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20639 of 2021

1. Dr. Sunil Kumar Singh S/o Birendra Kumar Singh Resident of Reeta Niwas, Shivpuri Lane No.01, Mahammadpur Kazi Muzaffarpur- 842001. Presently working on post of Associate Professor, Department Zoology, Lalit Narayan Tirhut College, Muzaffarpur a constituent College of B.R. Ambedkar, Bihar University Muzaffarpur.
2. Dr Usha Kumari W/o Sunil Kumar Singh Resident of 540 Damuchak Majhauri Gumti Road, Lane No.1, Near Shiv Mandir Ward Shivpuri Dharampur Muzaffarpur 842001. Presently working on post of Associate Professor, Department Zoology, M.D.D.M College Muzaffarpur, a constituent college of B.R. Ambedkar, Bihar University Muzaffarpur.
3. Dr Ugra Mohan Jha Son of Girendra Mohan Jha Resident of Prakar Raj Bhawan Naya Tola Sri Krishna Puri Post H.P.O., Nayatola, Muzaffarpur 842001, Presently working on the post of Associate Professor, Department Commerce, Lalit Narayan Tirhut College, Muzaffarpur, a constituent college of B.R. Ambedkar, Bihar University Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Education Department, Bihar, Patna.
2. The Chancellor of Universities of Bihar, Raj Bhawan, Patna.
3. The B.R. Ambedkar Bihar University, Muzaffarpur through its Registrar.
4. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
5. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Dayal, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar (Gp20)
		Mr. Nikhil Agarwal, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 28-01-2022

Heard Mr. Rajesh Dayal, learned Advocate for the petitioners and Mr. Nikhil Agarwal for the respondent/University. The State is represented by Mr. Madanjeet Kumar – GP 20.



Pursuant to a communication made by the Registrar of Baba Saheb Bhim Rao Ambedkar Bihar University dated 02.12.2019 inviting applications in prescribed proforma for promotion to the rank of Reader/Professor under merit promotion scheme/career advancement scheme, the petitioners who have been rendering their services as Associate Professor applied for being considered for being promoted to the post of Professor.

Notwithstanding the aforesaid representation having been filed by the petitioners long time ago, no decision has as yet been taken and the petitioners have also not been informed about the outcome of the aforesaid representation.

Mr. Nikhil Agarwal, learned counsel for the University, however, has informed this Court that a general notice has been issued by the Registrar of the University on 20.09.2021 intimating all such candidates who had made such application that because of some amendment having been made in the rules regarding promotion and its further consideration in the Raj Bhawan, all decisions regarding promotion have been kept in abeyance temporarily.



In that view of the matter, such communication be taken as response to the representation preferred by the petitioners.

There is no necessity of this Court in directing the Registrar of the respondent/University to dispose of the representation of the petitioners as the petitioners have now come to know the reason for their representation not having been acted upon up till now.

However, in case the amendment in the statute is carried out and the petitioners are eligible for being promoted under either merit promotion scheme or career advancement scheme, they shall file such application afresh in the prescribed format on being informed by the University forthwith which shall be taken into consideration by the concerned respondent without any delay.

With the aforesaid direction/observation, the writ petition is disposed off.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.01.2022
Transmission Date	

