

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16406 of 2015

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Dr. Arun Kumar S/o Sri Ram Dahin Prasad Resident of Village- Mirzan Bigha
P.S. Islampur District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through the Secretary, Human Resources Development,
Govt. of India, New Delhi.
3. The Principal Secretary, Department of H.R.D. Govt. of Bihar Patna.
4. The Chairman, B.P.S.C. Road Patna.
5. The Joint Secretary Cum-Examination Controller, B.P.S.C Baily Road,
Patna.
6. The Chairman, U.G.C. Bahadur Shah Jafar Marg, New Delhi.
7. The Secretary, U.G.C. Bahadur Shah Jafar Marg New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhananjay Mishra, Advocate
For the State	:	Mr. Kumar Manish, SC 21 with Mr. Prashant Kumar, AC to SC 05
For the BPSC	:	Mr. Sanjay Pandey, Advocate with Mr. Nishant Kumar Jha, Advocate

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

ORAL JUDGMENT

Date : 24-02-2023

Nobody appears on behalf of the petitioner.

2. The petitioner by way of this writ petition has prayed
as under:



“(i) To direct the respondent authorities to Consider the case of petitioner for appointment on the Post of Asst. Professor of Geography Subject in State of Bihar in which he has filed an application for his appointment as appearing student in NET and now thereafter he has qualified the Exam. of Dec. 2014.

(ii) To direct the respondent authority to make relaxation to the petitioner for appointment on the post of Asstt. Professor for which the petitioner is qualified and always ready to give interaction interview if and when required.

(iii) To provide any other relief/ reliefs for petitioner is entitled for.”

3. Learned counsel appearing for the respondents submits that the petitioner does not possess the minimum qualification required as per Advertisement and as per UGC Rules, 2009 for appointment as Assistant Professor. Since he has not qualified NET nor he possessed Ph.D degree in terms of Rules of 2009.

4. The UGC Regulations, 2010 require a candidate to possess certain eligibility conditions for recruitment and appointment as Assistant Professors in the Universities, Colleges and Institutions. As per para 3.1, candidates must have passed NET/SLET/SET exam provided that those who have been awarded Ph.D degree in accordance with the UGC (Minimum Standard and Procedure for Award of Ph.D degree) Regulations, 2009, shall be exempted from their requirement of passing the NET/SLET/SET exam. The petitioner admittedly does not possess either of the said qualification.



5. In view thereof, the claim solely on the ground that he is appearing in the NET examination is not made out.
6. The writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

P. Kumar
Item No. 33

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

