

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5405 of 2018

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Seema Kumari wife of Shri Sandeep Kumar C/o Dr. T.P. Singh, Ahilya Sadan behind St. Xavier's School, Saharsa, P.S. and Dist. - Saharsa presently posted as Subject Matter Specialist SMS Entomology and I/C Senior cum Head, KVK Purnea and Regional Research Sub Station, R.R.S.S. Jalalgarh, Purnea, Bihar.

... .. Petitioner/s

Versus

1. Dr. Rajendra Prasad Central Agriculture University Through Its Registrar
2. The Vice-Chancellor, Dr. Rajendra Prasad Central Agricultural University having office at Pusa, Sam
3. The Director, Administration, Dr. Rajendra Prasad Central Agricultural University having Office at
4. The Deputy Director, Administration, Recruitment Officer, Dr. Rajendra Prasad Central Agricultural
5. The State of Bihar through Principal Secretary Human Resource Development Department, Government of

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anand Kumar Ojha Mr. Abhishek Raj Mr. Ashok Kumar Karna
For the University	:	Mr. D. K. Sinha, Sr. Adv. Mr. Chandra Mohan Singh
For the State	:	Ms. Namrata Singh, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 24-04-2023 Heard learned counsel for the parties concerned.

The petitioner participated in the selection process for appointment on the post of Junior Scientist-cum-Assistant Professor, Faculty of Agriculture (Entomology) at Post Graduate Department of erstwhile Rajendra Agricultural University, Pusa, Samastipur.

The petitioner challenged the appointment of



respondent no. 5 in the writ application bearing CWJC no. 4401 of 2008, which was disposed by order dated 09.10.2017 with a direction to the petitioner to file a representation before the learned Vice Chancellor of the Dr. Rajendra Prasad Central Agricultural University-respondent no. 2, with a further direction to pass an appropriate order, in accordance with law, within a period of six months.

In the intervening period, the Rajendra Agricultural University, Pusa converted to Dr. Rajendra Prasad Central Agricultural University, Pusa *vide* gazette notification dated 17th August, 2016.

Pursuant to the order passed by this Court, the representation of the petitioner was disposed by the learned Vice Chancellor of the new university on 11.01.2018 by a reasoned order.

The contention of the petitioner is that, in the reasoned order, the learned Vice Chancellor has not dealt with the factual position.

On the other hand, learned counsel for the respondent-University submits that as per the new Act, converting the Rajendra Agricultural University in the new University, the claim of the petitioner for appointment against the vacancy



advertised in 2006 cannot be considered.

At this juncture, learned counsel for the petitioner submits that let a fresh reasoned order be passed by the learned Vice Chancellor without being prejudice with the earlier order.

In view of the rival submissions made by the parties and with the consent of the parties, the impugned order dated 11.01.2018 is set aside and the learned Vice Chancellor of the Dr. Rajendra Prasad Agricultural University, Pusa is directed to pass a fresh reasoned order, in accordance with law, within a period of three months from the date of receipt/production of the copy of this order.

With the aforesaid observation and direction, the writ application is disposed.

(Anil Kumar Sinha, J)

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