

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9883 of 2022

Dr. Suresh Prasad Yadav Son of Late Singhshwari Prasad Yadav, Resident of Mohalla- Professor Colony, Ward No. 4, P.O. and P.S.- Madhepura, District- Madhepura, the retired Assistant Professor, K.P. College, Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vide Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
5. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
6. The Finance Officer, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
7. The Financial Advisor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
8. The Principal, K.P. College, Murliganj, District- Madhepura.
9. The Hon'ble Chancellor, Universities of Bihar, Patna.
10. The Officer- on- Special Duty (Judicial), Governor's Secretariat, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar Singh
For the Respondent/s	:	Mr.Madanjeet Kumar, GP-20
		Mr. Ritesh Kumar, Adv.
		Mr. Rajendra Kumar Giri, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 06-03-2024

Heard learned counsels for the parties.

2. The petitioner has prayed for following reliefs:

1) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the respondent Authorities, particularly



the B.N. Mandal University to grant promotion to the petitioner to the post of Associate Professor under Time Bound Promotion Scheme with effect from the date when the petitioner had completed 10 years of service as Lecturer i.e. 31.03.2002 on the ground that according to the Statute on completion of 10 years of continuous service as Lecturer, the Lecturer would be entitled for his promotion to the post of Associate Professor and the petitioner had already completed 10 years of service on 31.03.2002 since the petitioner was granted promotion to the post of Lecturer with effect from 31.03.1992 pursuant to the recommendation of University Selection Committee.

II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the respondent Authorities to pay the consequential monetary benefits on account of grant of his promotion to the post of Associate Professor with effect from 31.03.2002 with interest on the ground that the delay has been occurred due to laches on the part of the respondents

III) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that he has filed a representation before the Vice Chancellor, Bhupendra



Narayan Mandal University, Laloo Nagar, Madhepura and the said representation is still pending.

4. In view of the submission made by learned counsel for the petitioner, in my view, no useful purpose would be served keeping this writ application pending.

5. Accordingly, this writ application is disposed of with a direction to the respondent no.4 i.e.Vice Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura to dispose of the representation of the petitioner by a reasoned and speaking order in accordance with law and in light of the order passed by the Apex Court in Civil Appeal No. 6178-6181/2015 within six weeks from the date of receipt/production of a copy of this order.

6. It is made clear that the Vice Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura (respondent no.4) shall be personally responsible for non-compliance of this order within the stipulated period.

(Anjani Kumar Sharan, J)

divyanshi/-

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

