

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10807 of 2024

Dr Kamal Kishor Sinha Resident of Village Nakki Nagar Kayastha tola

... .. Petitioner/s

Versus

1. The Honble The Chancellor University Of Bihar Patna
2. The State of Bihar through the Add. Chief Secretary, Deptt. Of Education, Govt. of Bihar, Patna
3. Addl.Chief Secretary, Deptt. Of Education, Govt. of Bihar, Patna.
4. Tilkamanjhi Bhagalpur University through its Vice Chancellor, At Bhagalpur, Bihar.
5. The Vice-Chancellor, Tilkamanjhi Bhagalpur University, Bhagalpur, Bihar.
6. The Registrar, Tilka Manjhi Bhagalpur University at Bhagalpur, Bihar.
7. The Munger University, through its Vice-Chancellor at Munger, Bihar.
8. The Vice-Chancellor, Munger University, Munger, Bihar.
9. The Registrar, Munger University, Munger, Bihar.
- 10.The Director General Vigilance Investigation Bureau, 6 Circular Road, Rajvanshi Nagar, Patna-23, Bihar.
11. Dr. Prabhat Kumar, S/o Late Kapildeo Narain Singh, Presently posted as Professor-Incharge, RD & D.J. College (a constituent unit of Munger University) Munger, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Chetan Kumar, Advocate
For the Respondent/s : Mr. Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 25-07-2024

The petitioner has filed the above Public Interest Litigation seeking inquiry into the large scale illegalities and irregularities in the promotion of the teaching staff working



earlier in the Tilka Manjhi Bhagalpur University which was later taken over by the Munger University, Munger.

2. The petitioner has impleaded 11th respondent alleging that his initial appointment was tainted. The petitioner admits that he was an Associate Professor who retired from the service from Munger University from its Department of Zoology and to buttress the claim of public interest has also made a statement on oath that the petitioner would not be benefited in any manner personally with the outcome of the writ application.

3. The petitioner has not pointed out any specific appointment except of the respondent no. 11 as having been tainted. The petitioner has made broad allegations of many illegalities and irregularities without any specifics pointed out.

4. The learned Standing Counsel for the University submits that there is already a writ petition pending against the 11th respondent as CWJC No. 8268 of 2021 wherein the petitioner's wife is the writ petitioner. In the above writ petition though the learned Single Judge vide order dated 21.06.2022 directed the writ petition to be proceeded with, the impleadment of the 5th respondent who is 11th respondent herein has been deleted.



5. In the above circumstances, we find clear *mala fides* insofar as the filing of the above writ petition, we dismiss the same imposing a cost of Rs. 10,000/- on the petitioner, payable to the Bihar State Legal Services Authority. The said amount will have to be paid within a period of two weeks, failing which the Bihar State Legal Services Authority will be entitled to proceed for recovery by taking measures similar to recovery of arrears due on land through the District Magistrate, in which event the petitioner shall also be liable for the charges incurred for making such recovery, which have to be recovered by the State.

6. Let a copy of this judgment be transmitted to the Member Secretary, Bihar State Legal Services Authority.

7. The writ petition stands dismissed with costs.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Harsh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.07.2024
Transmission Date	29.07.2024

