

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10176 of 2015

Dr. Arbind Das, Son of Late Ajodhi Das, Resident of Kishanganj, P.S.-
Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Chancellor of Universities of Bihar, Raj Bhawan, Patna.
3. B.N. Mandal University, Madhepura through its Registrar.
4. Vice Chancellor, B.N. Mandal University, Madhepura.
5. Registrar, B.N. Mandal University, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate
For the State	:	Mr. Dhurjati K Prasad, GP-14
For the Respondent no.2	:	Mr. Rajiv Ranjan Kr. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 7 12-02-2024 1. Heard learned counsel for the petitioner and learned
counsel for the respondents.
2. The petitioner has filed the instant application for
the following relief(s):-

"1. (i) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the B.N. Mandal University, Madhepura (hereinafter referred to as "the University") to take steps towards considering the case of the petitioner for granting him promotion in the rank of Reader under the Statutes regarding Merit Promotion Scheme and



thereafter, towards considering his case for granting of promotion in the rank of University Professor under the said Statutes regarding Merit Promotion Scheme;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to consider the case of the petitioner for promotion in the rank of University Professor in History in the services of the University in terms of the provisions contained under the Statutes regarding Career Advancement Scheme in the event of non-consideration of the case of the petitioner for granting him promotion in the rank of University Professor under the Statutes regarding Merit Promotion Scheme;

(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to extend all the consequential benefits in favour of the petitioner after granting him promotion in the rank of University Professor in History in the services of the University in accordance with law;

(iv) Any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

3. This Court in its order dated 7.12.2023 took note of the submission made by learned counsel for the B. N. Mandal University that during pendency of the application the college in



question having come under the newly formed Purnea University, the said University was required to be made party herein. As prayed by learned counsel for the petitioner, on the said date, two weeks time was granted for filing an application. The application not having been filed, further time was granted by orders dated 22.12.2023, 11.1.2024 and 2.2.2024. No application has been filed yet.

4. In view of the facts of the case, the instant application is disposed of giving liberty to the petitioner to file an appropriate representation before the respondent concerned which shall be decided in accordance with law.

5. It is made clear that this Court has not gone into the merits of the case of the parties which will be for the respondents to consider.

6. The application stands disposed of.

(Partha Sarthy, J)

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