

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3870 of 2019

In
Civil Writ Jurisdiction Case No.10541 of 2011

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Shankar Prasad, Son of Late Baldeo Ram, present resident of Mohalla-Khemnichak, Mangal Chowk, Police Station-Ram Krishna Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The Vice Chancellor, Patna University, Patna.
2. Sri Rash Bihari Prasad Singh, the Vice Chancellor, Patna University, Patna.
3. Rtd. Col. Mr. Manoj Mishra, the Registrar, Patna University, Patna.
4. Mr. Murlidhar Pandey, the Accounts Officer-cum-Finance Officer, Patna University, Patna.
5. Smt. Munawar Jahan, the Principal, Womens Training College, North Gandhi Maidan, Police Station-Pirbahore, District-Patna.
6. The State of Bihar, Through the Additional Chief Secretary, Department of Education, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ajoy Kumar Chakraborty, Advocate
For the Opposite Party/s :	Mr. Mrigank Mauli, Sr. Advocate
	Mr. Rakesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

9 20-03-2024 Heard Mr. Ajoy Kumar Chakraborty, learned Counsel for the petitioner and Mr. Mrignak Mauli, learned Senior Counsel duly assisted by Mr. Rakesh Kumar Singh, learned Counsel for the Patna University.

2. The Writ Court in C.W.J.C. No. 10541 of 2011 disposed of the matter on 30.07.2018 with the following concluding part:-

“In view of the above, the writ petition is



disposed of with a direction to the university to take step for regular appointment, against the vacancy on account of death of Madhuri Devi, respondent no. 5, within a reasonable period i.e. within a period of six months from the date of receipt/production of the copy of the order and consider the case of the petitioner for regular appointment after relaxing the age and giving waitage for the period, the petitioner has worked.

With the aforesaid, the writ application is stand disposed of.”

3. Each and every word has been taken up by the opposite party to deny the job to the petitioner *inasmuch* as an advertisement has been issued in which amongst other the educational qualification has been fixed as 10th pass, admittedly, the petitioner is 8th pass. Though, the Writ Court had diluted the age criteria for the petitioner considering that he was working for a long time, the educational part was missing and in that background, this Court is handicapped in granting any relief to the petitioner. He is well advised to challenge the said advertisement and/or ask for his appointment by way of writ petition.

4. Learned Counsel for the petitioner submits that the liberty may be granted to take appropriate steps for filing



appropriate petition.

5. Granting said liberty, the M.J.C. No. 3870 of 2019
stands disposed of.

(Rajiv Roy, J)

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