

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16920 of 2015

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1. Amrendra Kumar Singh S/o Mani Prasad Singh Resident of Village - Pakariya, PS - Shambhuganj, District - Bhagalpur.
 2. Prabhakar Prasad Singh S/o Janardan Prasad Singh Resident of Village - Jethour Manjhgaon, PS - Amarpur, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University, Bhagalpur through its Registrar.
2. The Vice Chancellor, T.M. Bhagalpur University, Bhagalpur.
3. The Pro Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur.
4. The Registrar, T.M. Bhagalpur University, Bhagalpur.
5. The Principal, P.B.S. College, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Adv
For the Respondent/s : Mr. Rajendra Kumar Giri, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

18 11-11-2025 Heard learned counsel for the petitioners and learned
counsel for the University.

2. In the present writ application, the petitioners have
prayed for the grant of following reliefs:

*(i) To hold and declare that the
action of the Respondents concerned in not
granting due benefits of promotion to the
petitioners on the post of Head Clerk and
Accountant respectively in college in hand
w.e.f. 31/07/13 and 01/07/2009 respectively
is highly illegal, arbitrary, mala-fide,
malicious and unsustainable in the eye of
law and on facts both and is fit to be the*



deprecated by this Hon'ble Court in strong words.

(ii) A writ in the nature of Mandamus may kindly be issued by this Hon'ble Court, commanding the Respondents concerned specially the Respondent Nos. 2 & 4 to pass necessary order(s), granting all due benefits to the petitioners on the post of on the post of Head Clerk and Accountant respectively in college in hand w.e.f. 31/07/13 and 01/07/2009 respectively.

(iii) Issuance of an order direction or a writ in the nature of certiorari quashing the letter no. B/12987 dated 3/9/2015 (Annexure 12) and letter no B/12988 dated 3/9/2015 (Annexure-14) issued by the respondent no 4 whereby and where under both the petitioners have been restrain from pertaining part in the examination for the post of Sectional Officer/Head Clerk/Accountant, conducted by the respondent University on 7.9.2015.

(iv) Issuance of an order direction or a writ in the nature of certiorari setting aside said examination conducted by the respondent University on 7-9-2015 since in the said examination the respondent university administration has restrained the from taking part in the said examination.



(v) For grant of any other relief or reliefs to which the petitioner may be found entitled to in the facts and circumstances of this case.

3. While advancing argument, learned counsel for the petitioners submits that the reliefs claimed in paragraph 1(i), 1(iii), 1(iv) and 1(v) have become infructuous and so far as the relief claimed in paragraph 1(ii) is concerned, learned counsel for the petitioners submits that for the said relief, he is prepared to file a representation before the Vice-Chancellor of the University. He further prays that if such a representation is allowed to be filed then the Vice-Chancellor of the University may be directed to dispose of the same on merit after giving an opportunity of hearing to the petitioners, within a fixed time frame by passing a reasoned and speaking order.

4. The aforesaid prayer being made by learned counsel for the petitioners is not opposed by the learned counsel appearing for the University.

5. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of granting liberty to the petitioners to approach the Vice-Chancellor of the University by filing a representation within one month from today. It is made clear that if such a



representation is filed within the stipulated time, the Vice-Chancellor of the University shall decide the same on merit within a period of six months from the date of receipt of the representation after giving an opportunity of hearing to the petitioners, by passing a reasoned and speaking order.

6. With the aforesaid observation/direction, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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