

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13144 of 2022

Dr. Savitri Kumari Singh wife of Shri Dharmraj Singh, resident of Gali No. 8A, Pajar Colony, Gauchani, Sasaram, P.S.- Sasaram, District- Rohtas, Pin Code- 821115.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. Veer Kunwar Singh University, Ara through its Registrar.
3. Vice Chancellor, Veer Kunwar Singh University, Ara
4. Registrar, Veer Kunwar Singh University, Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Adv. Mr. Pushkar Bharadwaj, Adv.
For the Respondent/s	:	Smt. Binita Singh (Sc28)
For the University	:	Mr. Rajesh Prasad, Adv.
For the State	:	Smt. Binita Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

13 15-11-2025

Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“(i) Issuance of a direction, order or writ, including writ in the nature of certiorari quashing the letter dated 28/07/2022 issued by the Veer Kunwar Singh University, Ara (hereinafter referred to as "the University"), by which the notification dated 25/08/2021 issued by the University, by which the date of birth of petitioner had been fixed as 21/11/1958 has been cancelled and while treating the date of birth of the petitioner as 01/08/1957, she has



been retired from the services of the University while continuing in the capacity of Associate Professor in Ancient Indian & Ancient Studies from Shershah College, Sasaram (hereinafter referred to as "the College") which is a constituent unit of the University;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to allow the petitioner to continue in the services of the University in the capacity of Associate Professor till she attains the age of 65 years while treating her date of birth as 21/11/1958 as has been fixed by the University on the basis of the recommendations of the Medical Board constituted in the said respect by the University as communicated by its letter dated 25/08/2021 bearing memo no. A/C/440/2021 issued from the University;

(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 allowing her to resume her duties in the capacity of Associate Professor in Ancient Indian & Ancient Studies in the services of the University and allow her to continue as such till 30/11/2023, which ought to be the date of her superannuation in view of the fact that she would attain the age of 65 years on 21/11/2023;

(iv) Issuance of a declaration holding



that the petitioner is entitled to continue in the capacity of Associate Professor in Ancient Indian & Ancient Studies in the services of the University till 30/11/2023, in view of the fact that she would attain the age of 65 years in the month of November, 2023;”

3. Admittedly in the present case before the impugned letter dated 28.07.2022 was passed by the University, the petitioner was not put on notice or given any show cause notice. The said factum has not been denied in the counter affidavit filed by the University.

4. Having regard to the same, without going into the merits or demerits of the case, the present writ petition is allowed solely on the ground that the impugned letter dated 28.07.2022 passed by the University fixing the date of birth of the petitioner as 01.08.1957 contrary to the earlier letter issued by the University fixing the date of birth as 21.11.1958 vide letter dated 25.08.2021 is without notice to the petitioner and opposed to the principles of natural justice and equity. The impugned letter dated 28.07.2022 is hereby set aside and the matter is remanded back to the authority concerned for passing orders afresh duly putting the petitioner on notice and giving her an opportunity of hearing. It is needless to mention that in case



the university wants to rely on any document, the copy of the said documents shall be furnished to the petitioner and she will be given an opportunity of filing an explanation/ objection. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of the copy of this order. Any order passed shall be communicated to the party.

5. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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