

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11012 of 2023

1. Abdul Baquee Son of Syed Tabbab Asraf, Resident of Nawab Colony, Jarlahi Road, Post Office - City Post Office, Bhagalpur, Police Station- Habibpur, District- Bhagalpur, Bihar- 812002.
2. Shubham Kumar Son of Late Rajendra Prasad Yadav, Resident of Village- Sahebganj, Police Station- University Thana, Post Office- Champanagar, District- Bhagalpur, Bihar- 812004.
3. Sushil Kumar Das Son of Shishar Das, Resident of House No. 5, Nisfaambe, Post Office- Sahjadpur, Police Station- Madhusudanpur, District- Bhagalpur, Bihar- 812005.
4. Dhiraj Kumar Yadav Son of Late Hari Prasad Yadav, Resident of village - Kutubganj, Post Office Mirjan Hat, Police Station Majahidpur, District Bhagalpur, Bihar-812005.
5. Mukesh Kumar Son of Late Ashok Kumar Sharma, Resident of village Sahebganj, Post Office - Champanagar, Police Station - Lalmatia Outpost, District -Bhagalpur, Bihar-812004.
6. Brajesh Kumar Singh Son of Late Nand Lal Singh, Resident of village - Bahbalpur, Post Office Nathnagar, Police Station Nathnagar, District - - Bhagalpur, Bihar-812006.
7. Sudhir Kumar Son of Late Rohin Tanti, Resident of village - Bhikhanpur, Gumti No.1, Post Office - Head Post Office, Police Station - Ishak Chak, District - Bhagalpur, Bihar-812001.
8. Mohammad Nayyer Azam Son of Md. Hamid, Resident of village - Tatarpur, Post Office - Tatarpur, Police Station - Tatarpur, District - Bhagalpur, Bihar - 812002.
9. Sachidanand Thakur Son of Late Kamleshwari Thakur, Resident of village - Sahebganj, Post Office Champanagar, Police Station - University Thana, District - Bhagalpur, Bihar-812004.
10. Manoj Kumar Singh Son of Late Saryug Prasad Singh, Resident of village - Panchshil Nagar, Post Office Barh, Police Station - Barh, District - Patna, Bihar- 803213.
11. Anil Kumar Jha Son of Late Mangnu Jha, Resident of village - Sonapattin, Post Office - City Post Office, Police Station - Kotwali, District - Bhagalpur, Bihar - 812002.
12. Suman Kr. Suman Son of Late Shital Chaudhary, Resident of village - Warsaliganj, Post Office Mirjanhat, Police Station - Babarganj, District -Bhagalpur, Bihar-812005.
13. Ranjan Kumar Son of Late Bhola Mandal, Resident of village - Nasrat Khani, Post Office - Nath Nagar, Police Station - Lalmatia Out Post, District -Bhagalpur, Bihar - 812004.
14. Madan Kumar Mandal Son of Late Ganga Mandal, Resident of village 24 Paragana, Post - Office T.N.B. College, Police Station University Thana, District - Bhagalpur, Bihar-812007.
15. Chand Kumari Daughter of Late Rajeev Ranjan Sharma, Resident of village-



- 24 Paragana, Post Office- T.N.B. College, Police Station - University Thana, District - Bhagalpur, Bihar-812007.
16. Ajit Kumar Son of Late Raja Ram Singh, Resident of village - Khutahadih, Post Office - Khutahadih, Police Station Barahiya, District Lakhisarai, - Bihar-811302.
17. Shailendra Kumar Son of Late Akhileshwari Paswan, Resident of village - Mahmadpur, Post Office- Nath Nagar, Police Station Madhusudanpur, District-Bhagalpur, Bihar-812006.
18. Arvind Kumar Son of Late Jagdish Prasad Yadav, Resident of village Sahebganj, Post Office-Champanagar, Police Station - University Thana, District -Bhagalpur, Bihar-812004.
19. Ashok Kumar Son of Late Kaiel Baitha, Resident of village - Kishunpur Madhuban, Post Office - Kishunpur Madhuban, Police Station - Kudhni, District- Muzaffarpur, Bihar - 844127.
20. Minu Kumari Daughter of Late Shiv Shankar Singh, Resident of Mohalla-Quarter No. 10, Post Office - T.N.B. College, Police Station - Tatarpur, District- Bhagalpur, Bihar- 812002.
21. Sanjay Kumar Son of Late Hari Har Prasad Yadav, Resident of Village - Narayanpur, Post Office - Narayanpur, Police Station - Bhawanipur, District - Bhagalpur, Bihar - 853203.
22. Kumud Poddar Son of Late Dularu Poddar, Resident of village - Kumharson, Post Office - Kumharson, Police Station - Garhpura, District - Begusarai, Bihar-848204.
23. Amit Kumar Yadav Son of Sri Isho Prasad Yadav, Resident of village - Chauhaddi, Post Office Chauhaddi, Police Station Narayanpur, District Bhagalpur, Bihar-853203.
24. Bhagwat Singh Son of Late Rajendra Prasad Singh, Resident of village Rajput Tola, Post Office Baijani, Police Station - Jagdishpur, District - Bhagalpur, Bihar-813112.
25. Sanjeev Kumar Son of Late Bishram Rai, Resident of Mohalla - Bhikanpur Gumati No.3, Post Office-Head Post Office, Police Station - Ishak Chak, District- Bhagalpur, Bihar-812001.
26. Md. Jamshed Alam Son of Late Nasir Alam, Resident of Mohalla - Bihari Mazumdar Lane, Post Office T.N.B. College, Police Station - Tatarpur, District - Bhagalpur, Bihar-812002.
27. Md. Sattar Son of Late Md. Akbar, Resident of Mohalla - Imampur, Post Office - City Post Office, Police Station - Habibpur, District - Bhagalpur, Bihar - 813113.
28. Farhat Jabeen Wife of Md. Shafi Anwar, Resident of Mohalla - Urdu Bazar Lane, Barai Chak-, Post Office - Tatarpur, Police Station - Tatarpur, District- Bhagalpur, Bihar-812002.
29. Md. Faiyaz Alam Son of Late Irfan Ali, Resident of Mohalla - Asanandpur, Post Office - City Post Office, Police Station - Kotwali, District - Bhagalpur, - Bihar-812002.
30. Dilip Kumar Mandal Son of Late Ram Kishan Mandal, Resident of village - Bari Khanjarpur, Post Office Bari Khanjarpur, Police Station - Barari,



District - Bhagalpur, Bihar-812001.

31. Babita Kumari Wife of Ravikant Gopi, Resident of Mohalla- Gopi Nath Ghosh Lane, Post Office-Champanagar, Police Station - Nath Nagar, District - Bhagalpur, Bihar-812004.
32. Pankaj Kumar Son of Late Lukho Mandal, Resident of Mohalla - Dildarpur, Post Office - Champanagar, Police Station Nathnagar, District - Bhagalpur, Bihar-812004.
33. Dilip Kumar Son of Late Narendra Kumar, Resident of Mohalla - Urdu Bazar, Jabbarchak Lane, Post Office - Naya Bazar, Police Station - Tatarpur, District -Bhagalpur, Bihar-812002.
34. Gopal Kumar Son of Ram Prasad Mandal, Resident of Mohalla Netajee Colony, Post Office - Champanagar, Police Station - Nath Nagar, District - Bhagalpur, Bihar-812004.
35. Subodh Kumar Son of Late Rajnandan Prasad, Resident of village - Faijalabad, Post Office - Mittan Chak, Police Station - Gopalpur, District - Patna, Bihar- 804354.
36. Suresh Choudhary Son of Late Indu Chaudhary, Resident of village - Makarampur, Post Office Ramoli, Police Station - Bahera, District - Darbhanga, Bihar-847201.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, Patna.
4. The Tilka Manjhi Bhagalpur University, through the Learned Registrar, Tilka Manjhi Bhagalpur University, Ravindra Bhavan Road, Sitanabad, Tatarpur, Bhagalpur, Bihar-812007.
5. The Learned Vice-Chancellor, Tilka Manjhi Bhagalpur University, Ravindra Bhavan Road, Sitanabad, Tatarpur, Bhagalpur, Bihar - 812007.
6. The Learned Registrar, Tilka Manjhi Bhagalpur University, Ravindra Bhavan Road, Sitanabad, Tatarpur, Bhagalpur, Bihar -812007.
7. The Hon'ble Chancellor-cum-Governor of Bihar, Raj Bhawan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate

For the Respondent/s : Mr. Kamehswar Kumar, GP-17

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT



Date : 21-08-2025

Heard Mr. Kumar Kaushik, learned counsel appearing on behalf of the petitioners and Mr. Kameshwar Kumar, learned GP-17 appearing on behalf of the State.

2. The petitioners, thirty-six in numbers, who are working on Group-D post in the Tilka Manjhi Bhagalpur University, have filed this writ petition seeking a direction to the respondents to consider their case for promotion in the post of Group-C.

3. Respondent-University has filed a counter, wherein, in paragraph No. 4, it has been stated as under:

“4. That the respondent university respectfully begs to state that since 2019, meeting of promotion Committee for promotion of non teachers has not been convened on account of the fact that since 2019 to 2022, there was acting Vice Chancellor(s) at the respondent university. Permanent Vice-Chancellor i.e. the present Vice-Chancellor took his charge on 23.08.2022. At present, the Vice-Chancellor and respondent university had in compliance of letter no. BSU (Directive)-43/2023-102/TO (1) dated 12.01.2024 issued by the office of Governor secretariat invited applications in prescribed format from 3rd Grade and 4th Grade employee who have been appointed against sanctioned post and whose services



were confirmed, for their promotion. The last date for submitting applications was fixed on 20.04.2025 which was later extended to 30.04.2025 and finally to 10.05.2025. Subsequently, the present Vice-Chancellor of the respondent university was prohibited from taking any policy decisions/appointment or transfer etc. vide letter No.- BSU(VC)-45/2019-857/Oo(1) dated 27.05.2025 issued from the office of Governor's Secretariat, Bihar, Raj Bhawan, Patna. Vide said letter, it was informed in a special circumstance, in the interest of work policy decision etc. may be taken with prior approval from the Hon'ble Chancellor, Universities of Bihar."

4. On perusal of paragraph No. 4 of the counter affidavit filed by the respondent-University, which has been extracted hereinabove, it is noticed that the present Vice-Chancellor, in compliance of Letter No. BSU (Directive)-43/2023-102/TO (1) dated 12.01.2024 issued by the Office of Governor's Secretariat, had invited applications in prescribed format of Grade-III and Grade-IV employees, who have been appointed against the sanctioned post and whose services have been confirmed for their promotion. The last date for submitting applications was fixed on 20.04.2025 which was later on extended to 30.04.2025 and finally to 10.05.2025. However, on



a subsequent date, the present Vice-Chancellor has been prohibited from taking any policy decisions/appointment or transfer etc. vide Letter No. BSU(VC)- 45/2019-857/Oo(1) dated 27.05.2025 issued from the Office of Governor's Secretariat, Raj Bhawan, Patna. In the said letter, it has also been provided that in a special circumstance, in the interest of work, policy decision may be taken with prior approval of the Hon'ble Chancellor, University of Bihar.

5. Since, it appears from the counter affidavit of the respondent No. 4 that the process for promotion of Grade-III and Grade-IV employees was initiated in the year 2024 which, however, could not be concluded due to the present Vice-Chancellor having been prohibited from taking any policy decision by the Hon'ble Chancellor of the University and that in the interest of work, policy decision has been permitted to be taken by the Vice-Chancellor with prior approval from the Hon'ble Chancellor of the University, this writ petition is hereby disposed of with a direction to the respondent-University to consider the case of the petitioners for promotion to the next Grade in accordance with Rules for such promotion, subject to the vacancies available in the promotional post.

6. The consideration, as directed above, shall be made



as expeditiously as possible and in any case not later than two months from the date of receipt of a certified copy of this order.

7. The writ petition is disposed off with the above direction.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.08.2025
Transmission Date	N/A

