

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13068 of 2022

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Gaurav Kumar Jalan Son of Shri Ajay Kumar Jalan, Resident of Bara Bazar,
Lal Bagh, P.O. and P.S. and District-Darbhanga, Pin Code-846004.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. Director, Higher Education, Education Department, Bihar, Patna.
3. Chancellor of Universities of Raj Bhawan, Bihar Patna through the Principal Secretary.
4. L.N. Mithila Darbhanga University Darbhanga through its Registrar.
5. Vice Chancellor, L.N. Mithila Darbhanga University, Darbhanga.
6. Registrar, L.N. Mithila Darbhanga University, Darbhanga.
7. Director, Directorate of Distance Education, L.N. Mithila Darbhanga University, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate
For the Respondent/s	:	Mr. Subhash Chandra Mishra (Sc16)
For the Hon'ble Chancellor:		Mr. Janardan Pd. Singh, Sr. Advocate
		Mr. Rajiv Ranjan Kr. Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

9 08-04-2025 Heard learned counsel for the parties.

2. The petitioner has put to challenge the order dated 08.03.2022 passed by the Registrar, Lalit Narayan Mithila University, Darbhanga vide Memo No. LNMU/CR/47/22 (annexed as Annexure-8 in the writ petition), whereby, the appointment of the petitioner as Assistant Registrar (Accounts), Directorate of Distance Education, Lalit Narayan Mithila University, Darbhanga has been cancelled on the ground that the petitioner did not possess working experience as mentioned in



the advertisement at the time of recruitment.

3. Section 9.4 of the Bihar State University Act, 1976

[in short, “1976 Act”] reads as under:-

"9.4 The Chancellor may, by order in writing, annul any proceeding or order of the University which is not in conformity with this Act, the Statutes, the Ordinance or the Regulation or for which adequate reason is lacking:

Provided that before making any such order or direction he shall call upon the University to show cause within the time specified why such order or direction should not be made, and if any clause is shown within the said time limit, he shall consider the same."

4. On perusal of Section 9.4 of the 1976 Act, it appears that the Chancellor of the University has the power to annul any proceeding or order of the University which is not in conformity with the 1976 Act, the statutes or the ordinance or the regulation, etc.

5. On reading of Section 9.4 of the 1976 Act, I find that the impugned order dated 08.03.2022, issued by the Registrar, Lalit Narayan Mithila University cancelling the appointment of the petitioner as Assistant Registrar (Accounts), Directorate of Distance Education, Lalit Narayan Mithila University, herein, can be challenged before the Chancellor of the University under the aforesaid provision.



6. In that view of the matter, this writ petition is hereby disposed of with a liberty to the petitioner to avail the remedy, as discussed hereinabove.

(Nani Tagia, J)

Siddharth
Sagar/-

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