

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13284 of 2022

Dr. Krishna Nand Choudhary Mitra Son of Late Yadunandan Choudhary, R/o
Yadunandan Niketan, Lalkothi, P.S. - Tatarpur, Town and District- Bhagalpur
- 812022.

... .. Petitioner/s

Versus

1. The T.M. Bhagalpur University Bhagalpur, through its Registrar.
2. The Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur.
3. The Registrar, T.M. Bhagalpur University, Bhagalpur.
4. The Finance Officer, T.M. Bhagalpur University, Bhagalpur.
5. Dr. Niranjana Prasad Yadav Son of Asesar Prasad Yadav, the then Registrar,
T.M. Bhagalpur University, Bhagalpur, presently working as Associate
Professor, P.G. Department of Psychology, T.M. Bhagalpur University,
Bhagalpur.
6. Mr. Shailesh Chandra CHakravorty, S/o Name not known to the petitioner,
Sectional Officer (Pension/Claim/Accounts), T.M. Bhagalpur University,
Bhagalpur.
7. The Principal, T.N.B. Law College, Bhagalpur.
8. The State of Bihar through the Additional Chief Secretary, Education
Department, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna.
9. The Deputy Secretary, Education Department, Govt. of Bihar, New
Secretariat, Vikas Bhawan, Patna.
10. The Director, Higher Education Department, Govt. of Bihar, New
Secretariat, Vikas Bhawan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Advocate Mr. Avanindra Kumar Jha, Advocate Mr. Jitendra Acharya, Advocate Mr. Ram Naresh Jha, Advocate Mr. Bishwash Vijeta, Advocate
For the Respondent/s	:	Mr. Subhash Chandra Mishra (Sc16)

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

12 10-09-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner who retired from service on

31.05.2016 while working as Associate Professor, Hindi in T.N.B. Law College, Bhagalpur has filed this writ petition along with I.A. No. 01 of 2025 challenging the order dated 18.01.2023, issued by the Registrar of the Tilka Manjhi Bhagalpur University, Bhagalpur vide Notification No. 120/2023 under Memo No. 13/13822-13878, whereby the petitioner's services as Associate Professor, Hindi has been terminated.

3. Learned counsel for the petitioner has contended that the impugned termination order has been issued by the respondent authorities without holding any departmental proceeding and that too after the petitioner's retirement from the service.

4. Learned counsel for the University has fairly submitted that the petitioner could not have been terminated from the service by the impugned order after the petitioner has retired from service, without holding any departmental proceeding, in accordance with law.

5. Considering the submissions made by the learned advocates for the contesting parties and in view of the settled principle of law that the services of the retired employees could not be terminated without holding departmental proceeding, in

accordance with law by following due procedures including the principle of natural justice, the impugned order dated **18.01.2023** issued by the **Registrar of the Tilka Manjhi Bhagalpur University, Bhagalpur** vide Notification No. **120/2023** under Memo No. **13/13822-13878** is hereby set aside and quashed.

6. Consequent upon quashing of the impugned termination order dated 18.01.2023 issued by the Registrar of the Tilka Manjhi Bhagalpur University, Bhagalpur, the respondents are directed to restore the pension of the petitioner forthwith.

7. With regard to the other grievances of the petitioner as contained in representation dated 24.06.2022 filed by the advocate of the petitioner which is pending before the Vice-Chancellor of the University, may be considered, in accordance with law.

8. The consideration, as directed shall be made by the Vice-Chancellor of the University within three months from the date of receipt of certified copy of the order, preferably by giving an opportunity of hearing to the petitioner.

9. Entitlement of the petitioner as contained in the representation filed by the petitioner before the Vice-Chancellor

of the University shall be in accordance with the order that may be passed by the Vice-Chancellor of the University on the representation of the petitioner, in accordance with law.

(Nani Tagia, J)

Nishant/-

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