

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13182 of 2025

Dr. Jai Prakash Mallick, (Retd. Principal of Kalawati Degree College, Raniganj, Araria), son of Late Sukhdeo Prasad Mallick, resident of Mohalla-Burbanna, Raniganj, P.O.-Meriganj, P.S.-Raniganj, Ward No. 10, District-Araria

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Higher Education, Education Department, Government of Bihar, Patna.
3. The B.N. Mandal University, Madhepura through the Vice Chancellor, Laloo Nagar, Madhepura.
4. The Vice Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
5. The Purnea University, Purnea through the Vice Chancellor.
6. The Vice Chancellor, Purnea University, Purnea.
7. The Registrar, B.N. Mandal University, Laloo Nagar, Madhepura.
8. The Registrar, Purnea University, Purnea.
9. The Kalawati Degree College, Raniganj through the Principal, P.O.-Mirganj, P.S.-Raniganj, District-Araria.
10. The Governing Body, Kalawati Degree College, Raniganj through its Secretary, P.O.-Mirganj, P.S.-Raniganj, District-Araria.
11. The Secretary, Kalawati Degree College, Raniganj, P.O.-Mirganj, P.S.-Raniganj, District-Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kaushal Kumar Jha, Sr. Adv., Mr. Krishna Chandra Jha, Adv., Mr. S.K. Choudhary, Adv.
For the University	:	Mr. Maurya Vijay Chandra, Adv., Mr. Gaurav Govinda, Adv., Mr. Ritesh Kumar, Adv., Ms. Aditi Sharma, Adv. Ms. Preety Ranjan, Adv.
For the State	:	Mr. Gyan Prakash Ojha, GA-7

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for he B.N. Mandal



University and learned counsel for the Purnea University.

2. The petitioner has filed this writ petition for the following reliefs:-

“(i) For direction to the respondent concerned including the respondent University (B.N.M.U.) to implement forthwith the decision of the Governing Body of the Kalawati Degree College, Raniganj, Araria in its meeting dated 05.03.2017, whereby and whereunder, the petitioner has been recommended for appointment as the Principal of the College with effect from 27.07.2006.

(ii) For further direction to the respondent authorities to grant all consequential benefits for which the petitioner is entitled too in view of the recommendation / decision of the Governing Body of Kalawati Degree College, Raniganj, Araria forthwith.

(iii) For direction to the respondent concerned to act upon the representation dated 08.01.2020 and 03.03.2021 submitted by the petitioner before the concerned University which is pending till date consideration.

(iv) The petitioner further prays for following order/orders, direction/directions, for the following relief/reliefs which he entitled into facts and circumstances of the present case.”

3. Learned counsel for the petitioner submits that the



petitioner was initially appointed against vacant and sanctioned post of Lecturer in the History Department on 14.01.1995 in Kalawati Degree College, Raniganj and started discharging his duties with utmost sincerity and integrity.

4. It is the case of the petitioner that petitioner also discharged his duties as In-charge, Principal of the College from 18.06.1988 to 17.09.1998 and consequent upon the petitioner being eligible under the relevant Act, Rules and Statutes was appointed as the regular Principal of the College vide letter no. 05, dated 17.09.1998 issued by the Secretary, Governing Body of Kalawati Degree College, Raniganj.

5. It is the case of the petitioner that during the entire service period payment was made as per the Rules and Regulations of the Governing Body and as per the grant received from the State Government, payment of wages was payable to the petitioner.

6. It has next been submitted that the Governing Body has taken a decision, which is appended as Annexure-P/3.

7. Learned senior counsel submits that despite notification to the effect that the Governing Body has already taken a decision with regard to regularization of services of the petitioner has already been notified, but no final decision has



been taken by the competent authority and the said resolution was sent for consideration by the appropriate authority, which is appended as Annexure- P/5 at page 36, to the Registrar, B.N. Mandal University, Lalunagar, Madhepura, vide letter no. 29/17, dated 24th March, 2017 for approval on the post of Principal.

8. Be that as it may, it is now since the recommendation has already been sent to the B.N. Mandal University and the learned counsel representing the B.N. Mandal University at this stage points out that now this College falls under the Purnia University and during the pendency of the writ petition, this College falls namely Kalawati Degree College, Raniganj is covered and falls under the jurisdiction of Purnia University, Purnia and the entire exercise, which is expected to be done, on the decision taken by the Governing Body rests with the said Purnia University.

9. In such view of the matter, since the representation submitted before the Registrar, B.N. Mandal University, Raniganj, which is appended as Annexures-7, 8 and 9 of the writ petition, which is required to be forwarded with appropriate notes so that the action, which is expected to be taken over such decision of the Governing Body, can be taken by the Purnia University in causes of law.



10. At this stage, learned counsel for the petitioner states that even the representation, which has been appended with the writ petition, was submitted before both the authorities of the Universities and as such they may be directed to cooperate enabling the competent authority to take a final decision without any inordinate delay.

11. In view of the above, let Purnea University to take final decision in the matter after going through the records within a period of two months from the date of receipt of a copy of this order.

12. Accordingly, the instant writ petition is disposed of.

(Ajit Kumar, J)

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