

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1360 of 2017

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Birendra Kumar Pandit Son of Late Ramlakhan Pandit, resident of Bispatti,
P.O.- Baghadi, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Baba Saheb Bhimrao Ambedkar Bihar University, Muzaffarpur, through its Registrar.
3. The Jawahar Lal Nehru Smarak, College, Sursand Sitamarhi, through its Secretary.
4. The Management Committee of Jawaharlal Nehru College, Sursand, Sitamarhi, through its Chairman.
5. The Principal, Jawaharlal Nehru College, Sursand, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. M. N. Jha Mr. Uday Kumar
For the State	:	Mr. Pankaj Kumar Singh, AC to GA-9
For the Respondent/s	:	Mr. Shashi Bhushan Singh Mr. Indrajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 8 21-08-2025 1. Heard learned counsel for the parties concerned.
2. The petitioner has filed the present writ application commanding the respondent/s, particularly the respondent no. 4- Management Committee of Jawaharlal Nehru College, Sursand, Sitamarhi, to start the proceeding of confirmation of petitioner's appointment as per the amended Bihar Universities Act, 2017, whereby it has been directed that the Selection Committee will complete the selection process of teachers, who were appointed with the recommendation of the College Service Commission



prior to 1982.

3. Mr. M. N. Jha, learned senior counsel for the petitioner, submits that the Management Committee of the College appointed the petitioner in the year 1982-83 as Lecturer in Hindi. The case of the petitioner was not placed before the Selection Committee as per the amended Rules, as such, he was denied his salary and other emoluments etc.

4. The name of the petitioner, at the time of appointment, was placed at Sl. No. 2 which would be evident from Annexure-7 series, which is the entire list of the teachers of the College.

5. On the other hand, Mr. Shashi Bhushan Singh, learned counsel for the Managing Committee of Jawaharlal Nehru College, referring to the counter affidavit, submits that the present writ application has become infructuous inasmuch as the petitioner attained the age of 67 years having his date of birth as 09.08.1957. The petitioner has concealed the fact from this Court that the College, in question, where the petitioner was appointed on temporary basis in the subject of Hindi, was having only two posts sanctioned in the year 1990.

6. The petitioner was appointed on 4th post and the University had sanctioned only two posts in the year 1990 and



two posts i.e. 3rd and 4th post were sanctioned on 26th June, 2009, as such, the petitioner was not working on the sanctioned post.

7. The Selection Committee considered the case of the petitioner, along with other candidates, for the subject of Hindi by which the claim of the petitioner for recommendation as Lecturer has been denied by the Selection Committee on 21.08.2011. The Selection Committee on the same date submitted its report recommending the names of the six teachers in which the name of the petitioner was not appearing.

8. Having considered the submission advanced by the parties and the fact that case of the petitioner was considered in the year 2011 by the Selection Committee and now the petitioner has already attained the age of superannuation and is aged about 67 years, as such, no fruitful order can be passed.

9. Considering the facts and circumstances of the case, this writ application stands dismissed.

(Anil Kumar Sinha, J)

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