

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12275 of 2017

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Gunjan Jha Wife of Dr. Shree Chandra Jha, Resident of Officers Colony,
Mirchaibari, P.O. and P.S. Katihar, District-Karihar Presently Posted as
Associate Professor music, Mohan Jalota Memorial Mahila College, Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar,
Patna.
3. The Director, Higher Education, Education Department, Government of
Bihar, Patna.
4. The Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura
through the Vice Chancellor.
5. The Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
6. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar,
Madhepura.
7. The Principal Mohan Jalota Memorial Mahila College, Katihar, P.O. and P.S.
Katihar, District-Katiha

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.B.K. Mangalam, Advocate
	:	Ms. Anita Kumari, Advocate
For the Respondent/s	:	Mr. A.R.Pandey -Aag15
	:	Mr. S.S. Tiwary, AC to AAG-15
For University	:	Mr. Ritesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

5 18-12-2025 Heard learned counsel for the petitioner and learned
counsel for the Respondent-State.

2. The petitioner in the present writ application has
prayed for the grant of following reliefs:

i) For issuance of an appropriate writ in the nature of
MANDAMUS, commanding and directing the Respondent
University to consider the case of the petitioner for her Time



Bound Promotion as the Associate Professor with effect from the due date and any other further promotions for which the writ petitioner would be found entitled under the facts and circumstances of the case.

ii) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent University for grant of promotion due to the petitioner with effect from the due date for which the petitioner was entitled under the different Statutes of the University and to pay the consequential monetary benefits as per her promotion from the due date on the ground that if the petitioner has been denied the promotions for no fault of her part, neither the Respondents can take benefit of their own the petitioner could be deprived wrong nor legitimate claim for no fault on her part.

iii) For issuance of any other appropriate writ/writs, order /orders direction / directions for which the writ petitioner would be entitled under the facts and circumstances of the case.

3. That in the counter-affidavit filed by Respondent-University in paragraph nos. 5 and 6, it has been stated as follows:-

“5.) That it is respectfully stated and submitted that a meeting of the Academic Council of the



University was held vide no.27 dated 23.1.2018 in which as per Resolution no.11 (1) a decision with regard to the promotion of the petitioner, was taken. As per the decision it was decided that the Dean, Faculty of Social Sciences will provide a list of 7 University Professor's of Music Subject as per section 57 (4) of the BSU Act case of the 1976 and thereafter the petitioner will be considered as per Rules and Regulation.

6) That it is further stated and submitted that since the process of Time bound promotion has been initiated by the University the writ petition may kindly be disposed of.”

4. Subsequently, another supplementary counter-affidavit has been filed by the Respondent-University in which in paragraph nos. 4 and 5, it has been stated as follows:-

“4. That it is respectfully stated and submitted that in compliance of the order dated 20.11.2025, passed in the present writ petition, the University verified the records relating to the petitioner and found that the petitioner has not submitted the application for



Promotion in prescribed Performa/format along with relevant documents, duly forwarded by the Principal of the concerned College, till date. Accordingly, vide Letter No [GS (LC)-Mov-order]-54/25 dated 28.11.2025 issued under signature of the Registrar of the University, addressed to the Principal, [M.JM](#) College, Katihar request has been made to inform the petitioner apply for Promotion in a prescribed format issued by the B.N Mandal University and should be duly forwarded by the Principal of the College along with her CCR in the office of the Registrar, BNMU within 1 week from the receipt of the letter. It is respectfully stated and submitted that as soon as the petitioner will submit the application for Promotion in the prescribed format issued by the University, duly forwarded by the Principal of the College along with her CCR in the office of the Registrar, BNMU, the same will be placed before the Screening Committee and other Statutory Committee for grant of Promotion and thereafter final decision will be taken by the Committee.

5. That from the above stated facts it



would transpire that although the matter for promotion of the petitioner was placed before the Academic Council in its meeting dated 23.01.2018, but the same was kept pending thereafter and now the process has been initiated and will be completed soon, with cooperation of the petitioner and the concerned College, which is now within the Jurisdiction Purnea University.”

5. With the consent of all the parties, this writ application is disposed of directing the petitioner to submit all relevant documents regarding grant of promotion to the Principal of MJM College, Katihar and the Principal is directed to further forward all those documents to the Respondent-University within three days thereafter. Upon receipt of the documents by the Respondent-University, the Respondent-University will take steps for granting promotion to the petitioner within three months from the date of receipt of all the documents and all consequential benefits pursuant to grant of promotion to the petitioner shall be extended to the petitioner within two months from the date of grant of promotion.

6. The present writ application is accordingly



disposed of in aforesaid terms.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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