

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16294 of 2023

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Rohit Kumar S/o Late Khokha Das, Resident of Village and Post- Oriup, P.S.-
Antichak (Kahalgaoon) District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar,
Patna.
3. The Director, Higher Education, Govt. of Bihar, Patna.
4. The Vice-Chancellor, Munger University, Munger.
5. The Pro Vice Chancellor, Munger University, Munger
6. The Registrar, Munger University, Munger.
7. The Principal, R.D. and D.J. College, Munger, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Mohan Kumar, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar, GP-20
For the Munger University:		Dr. Anand Kumar, Advocate
		Mr. Rajan Prakash, Advocate
		Ms. Vijeta Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 10-09-2025

Heard Mr. Brij Mohan Kumar, learned counsel
appearing on behalf of the petitioner; Mr. Madanjeet Kumar
learned GP-20 appearing on behalf of the State and Mr. Rajan
Prakash, learned counsel appearing on behalf of the Munger
University.

2. The petitioner, who is a Grade-IV employee in
the Munger University, is aggrieved by the action of the



respondent-University in not promoting the petitioner to the post of Junior Clerk/Lower Division Clerk. The petitioner also alleges that vide letter as contained in Memo No. Estb/130-1075/2013 dated 25.01.2023 issued by the Vice Chancellor, Munger University, persons junior to the petitioner have been promoted from the post of Grade-IV employee to the post of Junior Clerk/Lower Division Clerk.

3. Respondent-University has filed a counter affidavit.

4. From the counter affidavit filed by the respondent-University, it appears that the application for promotion to the post of Junior Clerk/Lower Division Clerk was invited on 19.07.2022 and thereafter, departmental examination for the purpose was conducted on 13.11.2022. It further appears from paragraph no. 7 of the counter affidavit filed by the respondent-University that the decision regarding the promotion of the petitioner to the post of Junior Clerk/Lower Division Clerk has not been taken by the authorities of the University on the ground that the petitioner has not submitted the requisite documents as has been asked by the University authorities vide its letters dated 22.12.2022 and 23.12.2022. A chart has also been enclosed as Annexure-



B to the counter affidavit filed by the respondent-University indicating that the petitioner has not submitted documents against the university letters dated 22.12.2022 and 23.12.2022.

5. Vide letter dated 22.12.2022 (Annexure-A to the counter affidavit filed by the respondent University) issued by the Registrar of the Munger University, it has been pointed out that intermediate and character certificates were asked to be submitted by the candidates seeking promotion to the post of Junior Clerk/Lower Division Clerk.

6. Letter dated 23.12.2022 issued by the Registrar of the Munger University is the reiteration of the letter dated 22.12.2022 reminding the candidates seeking promotion to the post of Junior Clerk/Lower Division Clerk to submit character certificate.

7. Petitioner has filed a reply affidavit to the counter affidavit filed by the respondent Nos. 4 to 6, wherein, in paragraph No. 6, it has been stated that the petitioner has submitted the requisite documents on 10.03.2025 to the Pro-Registrar, Munger University, which were asked for by the University to be submitted by the candidates seeking promotion to the post of Junior Clerk/Lower Division Clerk.



8. The intermediate as well as character certificates submitted by the petitioner have also been enclosed in the reply affidavit to the counter affidavit filed by the respondent Nos. 4 to 6.

9. Since the ground for not taking any decision with regard to the promotion of the petitioner to the post of Junior Clerk/Lower Division Clerk was the non submission of the intermediate pass certificate as well as the character certificate which stands now submitted by the petitioner on 10.03.2025 to the Pro-Registrar, Munger University as indicated in the reply affidavit to the counter affidavit filed by the respondent Nos. 4 to 6, this writ petition is hereby disposed off with a direction to the respondent Nos. 4 to 6 to take a decision in the matter of promotion of the petitioner to the post of Junior Clerk/Lower Division Clerk pursuant to invitation of an application by the University dated 19.07.2022 and the departmental examination conducted on 13.11.2022 in the light of the intermediate pass certificate and the character certificate submitted by the petitioner as discussed hereinabove.

10. The decision in this regard shall be taken by the University within a period of six weeks from the date of



receipt of certified copy of this order.

11. The writ petition is disposed off with the above direction.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.09.2025
Transmission Date	NA

