

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1701 of 2024

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Dr Shwet Kumar Saha S/o Haris Chandra Saha, resident of Kathahalbari Barharba, P.S-Ranga, District-Sahebganj, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Vice - Chancellor, Jai Prakash University, Chapra.
4. The Registrar, Jai Prakash University, Chapra.
5. The Finance Officer, Jai Prakash University, Chapra.
6. The Selection Committee through its Chairman, Jai Prakash University, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Adv.
For the State	:	Mr. Dhurjati Kr. Prasad, GP14
For the University	:	Mr. Bindhyachal Rai, Adv.
	:	Mr. Chandan Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the University.

2. By filing the present writ application, the petitioner has prayed for the following reliefs:

“(1) For issuance of an appropriate writ in the nature of mandamus Commanding and directing the respondent University to notify the name of the petitioner by granting promotion to the post of University Professor in the faculty of Mathematics with all consequential monetary benefit, as the petitioner is fulfilling all the requisite conditions as laid down in the statute, but he has not been promoted mere on the



reason that he has retired from active service, though the promotion of the petitioner is due w.e.f. 25.09.2020, while the petitioner was in active service, though the similarly situated teachers have been promoted from due date since they are in active service, even not only retired rather the employees died but promotion was due, have been given promotion under the same statute.

(II) For issuance of any other appropriate writ/writs, order/orders, direction/ directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the petitioner along with others had filed an appeal before the Office of Hon’ble Chancellor for redressal of their grievances and the said appeal was allowed vide order dated 29.10.2024 holding inter alia that:

“The appellants are entitled for the promotion and the University is directed to consider the same within one month from communication of this order.”

4. In such view of the matter, I deem it proper to direct the petitioner to file a detailed representation before the Vice Chancellor, Jai Prakash University, Chapra (respondent no.3) along with the supporting documents as well as the order dated 29.10.2024 passed by the office of Hon’ble Chancellor within a period of four weeks from today and the respondent no.3 is directed to consider the representation of the petitioner



and pass a reasoned and speaking order within eight weeks from the date of receipt of representation after affording an opportunity of hearing to the petitioner or through his counsel and if it is found that the petitioner is entitled for any consequential benefit, the same shall be granted to him within eight weeks thereafter.

5. Needless to state that the Vice Chancellor, Jai Prakash University, Chapra (respondent no.3) shall be solely responsible for non-compliance of this order within the stipulated period.

6. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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