

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1188 of 2025

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1. Kush Kumar Son of Late Nar Narayan Roy, Resident of village- Durgapur Bareta, P.O. Garh Banaili, District- Purnea, presently working as Incharge Accountant Clerk, M.L. Arya College, Kasba, Purnea, District- Purnea.
 2. Anju Kumari Wife of Late Shiv Kumar Sah, Resident of Ward No.2, Rani Sati Chowk, Kasba, P.S. Kasba, District- Purnea, presently working as Routine Clerk, M.L. Arya College, Kasba, Purnea, District - Purnea.
 3. Md. Mahtab Alam Ansari Son of Late Md. Sagir Uddin Ansari, Resident of Mohalla- Sisauna Bhagalpuri , Araria, P.O. and P.S. Araria, District- Araria, presently working as Correspondence Clerk, M.L. Arya College, Kasba, Purnea, District - Purnea.
 4. Abhijeet Anand Son of Late Rajiv Lochan, Resident of Ward No.14, Murari Tola, Kasba, P.S. Kasba, District - Purnea, presently working as Accounts Clerk, M.L. Arya College, Kasba, Purnea, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, Purnea University, Purnea.
5. The Registrar, Purnea University, Purnea.
6. The Finance Officer, Purnea University, Purnea.
7. The Vice Chancellor, B.N. Mandal University, Madhepura.
8. The Registrar, B.N. Mandal University, Madhepura.
9. The Finance Officer, B.N. Mandal University, Madhepura.
10. The Principal, M.L. Arya College, Kasba, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the State	:	Mrs. Shweta Anand, AC to GP-13
For the BNMU	:	Mr. Ritesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-01-2025 Heard learned counsel for the parties.

2. The present writ application has been filed for the



following reliefs:

(i) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent University to grant promotion to the petitioner no.1 to the post of Accountant on the ground that the post of Accountant in the college since long upon which the petitioner no.1 is discharging his duties with effect from 01.10.2020 as per direction of the Principal of the College as also Principal of the College requested the Respondent Purnea University to grant permission as also to grant the petitioner nos. 2,3 and 4 to the post of Upper Division Clerk on the ground that the petitioner no.2 had served the college for long 27 years, the petitioner no.3 for long 14 years, and the petitioner no.4 for long 8 years as also there are sanctioned and vacant post of promotional post in the college on account of retirement but they had not granted single promotion to them for which they are legally entitled in accordance with law.

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and



directing the Respondent University to approve / confirm the services of the petitioners since the date of their initial appointment since they are validly appointed by the Respondent B.N. Mandal University on compassionate ground against the sanctioned and vacant post.

(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent University to pay the differences of salary on account of their promotion to the promotion post with interest.

(IV) 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. Considering the reliefs mentioned in the writ application and the fact that the petitioners have already filed a representation before the Registrar, Purnia University (Annexure-12, 13, 14 and 15), but till date no order has been passed by the Registrar, Purnia University.

4. In such view of the matter, I direct the petitioners to file a fresh representation along with all supporting documents before the Registrar, Purnia University (respondent no. 5) within four weeks and respondent no.5 is well advised to consider the case



of the petitioners after affording opportunity of personal hearing or through their counsel and pass a reasoned and speaking order in accordance with law within two months thereafter.

5. It is made clear that this Court may take serious view against the concerned respondent if the order is not complied within the stipulated period.
6. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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