

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4111 of 2026

Bindeshwar Mehtar S/o Late Dhorai Mehtar, R/o-Mohalla Jai Prakash Nagar,
Ward No. 7, P.S.-Araria, District-Araria.

... .. Petitioner/s

Versus

1. The Chancellor of the University Raj Bhawan (Now Bihar Lok Bhawan), Bihar.
2. Bhupendra Narayan Mandal University through its Vice Chancellor, Madhepura-852113, Bihar.
3. The Vice Chancellor, Bhupendra Narayan Mandal University, Madhepura-852113, Bihar.
4. The Registrar, Bhupendra Narayan Mandal University, Madhepura-852113, Bihar.
5. The Principal, Araria College, Araria.
6. The Bursar, Araria College, Araria.
7. Purnea University, Purnea through the Registrar, Purnea University.
8. The Vice Chancellor, Purnea University, Purnea.
9. The Registrar, Purnea University, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Sinha, Adv.
For the Respondent/s	:	Mr.Maurya Vijay Chandra
For B.N. Mandal University:		Mr.Md. Nadim Saroj, Adv.
For Purnea University	:	Mr.Dr.Maurya Vijay Chandra, Adv.
		Mr.Gaurav Govinda, Adv.
		Ms.Preety Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 07-04-2026 Heard learned counsel for the petitioner, learned
counsel appearing for respondent-Purnea University and learned
counsel appearing for B.N. Mandal University.

2. In the present writ application, the petitioner has
prayed for the grant of following relief:

*“(i) for issuance of an appropriate
writ/order quashing the order dated 23.12.2025*



signed by the Registrar, Purnea University by order of the Vice Chancellor, Purnea University, Purnea contained in Memo No. 1624 (Annexure-P/9) whereby and whereunder the claim of the petitioner for regularisation of his services against the sanctioned vacant post of Sweeper (Safai Karmi) in Araria College, Araria, a constituent college of the erstwhile Bhupendra Narayan Mandal University (respondent no.2) now under Purnea University (Respondent No.7) has been rejected without considering the judgments referred by this Hon'ble Court in the order dated 23.09.2025 passed in C.W.J.C. No. 11499 of 2019 (the earlier writ petition filed by the petitioner before this Hon'ble Court).”

3. While advancing argument, learned counsel for the petitioner submits that earlier also, the petitioner had filed a writ application vide CWJC No. 11499 of 2019, which was heard and disposed of by order dated 23.09.2025 (Annexure-P/8). The operative portion of the said order is contained in paragraph 13 and 14, which is quoted hereinbelow for needful:-

“13. Considering the fact that this petitioner had worked since 2003 and was engaged by the college in different capacities as Night Guard but against the sanctioned post of Sweeper (Safai Karmi) had been duly working since 2007, after the death of his father and has continuously served till January, 2016, which is an undisputed fact and thereafter as per the petitioner, from time to time he has served the said college is a fact, which is to be considered by the said University and therefore, respondent no. 7, Registrar, Purnea University, is directed to take into account all these



facts and place it before the competent authority to take a final decision in this regard in the light of judgments rendered by the Hon'ble Apex Court, as referred above by giving a sympathetic consideration recognizing the past services of this petitioner, within a period of three months from the date of the receipt of the order passed by this Court and while taking final decision with regard to the claim of the petitioner, the authority shall be obliged to strictly consider the ratio laid down in the judgments referred above, so that, the decision of the University could speak of itself that thread-bearing deliberations have been made while deciding the case of the petitioner.

14. It goes without saying that on consideration within the time so specified, the final decision with a reasoned and speaking order, shall be communicated to the petitioner further.”

4. Learned counsel for the petitioner further submits that in compliance of the order dated 23.09.2025 passed in CWJC No. 11499 of 2019, a fresh order has been passed on 23.12.2025, signed by the Registrar, Purnea University which is contained in Memo No. 1624 (Annexure-P/9), which is against the petitioner and therefore the petitioner has challenged this order in the present writ application.

5. While assailing the impugned order dated 23.12.2025 (Annexure-P/9), learned counsel for the petitioner submits that while passing the order, the petitioner was not granted opportunity of hearing and participation and therefore the impugned order passed by the Registrar, Purnea University



is in violation of principles of natural justice. He therefore submits that the impugned order be set-aside and the matter be remanded back to the Registrar, Purnea University to decide the matter afresh, after giving opportunity of hearing to the petitioner which should include supplying copies of all such documents on which the Registrar, Purnea University will rely while passing the order in compliance of the previous order dated 23.09.2025 passed in CWJC No. 11499 of 2019.

6. Learned counsel appearing for Registrar, Purnea University submits that the impugned order which has been challenged by the petitioner is in accordance with law and need not be interfered with for the reason that while disposing of CWJC No. 11499 of 2019, there was no observation given by this Court of granting any opportunity of hearing to the petitioner. However, learned counsel appearing for Purnea University submits that they are ready to grant post-decisional hearing to the petitioner.

7. On careful consideration of the submissions made by both the parties, it is a view of this Court that although the impugned order has been passed in terms of the order dated 23.09.2025 passed in CWJC No. 11499 of 2019, but it is equally true that while passing the said order by the Registrar, Purnea



University, no opportunity of hearing was granted to the petitioner, which clearly amounts to violation of principles of natural justice. It is for this reason that the impugned order dated 23.12.2025 signed by the Registrar, Purnea University, as contained in Memo No. 1624 (Annexure-P/9), is set-aside and the matter is remanded back to the Registrar, Purnea University to decide the matter afresh in accordance with the direction given vide order dated 23.09.2025 passed in CWJC No. 11499 of 2019, after giving opportunity of hearing to the petitioner which will also include giving copies of all such documents which the Registrar, Purnea University would be relying for the purpose of passing the final order. This entire exercises must be completed within a period of four months from the date of receipt / production of a copy of this order.

8. The petitioner is also directed to cooperate in the proceeding which would be carried out by the Registrar, Purnea University and in case opportunity is granted to the petitioner to participate in the proceeding and if the petitioner is not availing the said opportunity, then the Registrar, Purnea University, after assigning cogent reason, may proceed to decide the matter on the basis of materials available on the record.

9. With the aforesaid observation/direction, this writ



application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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