

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1086 of 2025

In
Civil Writ Jurisdiction Case No.1256 of 2020

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Ram Balak Choudhary Son of Shankar Choudhary, Resident of C/o. Professor Sadan Prasad Singh, Kila Ghat, Sarai (Vivekanand Colony), near Mahadeo Singh College, Sarai P.S.- Jagdishpur, town and district- Bhagalpur, Bihar- 812002.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Additional Chief Secretary, Dr. S. Sidharth, Human Resources Development Department (Higher Education), Government of Bihar, Bikas Bhawan, Patna.
2. T.M. Bhagalpur University, Bhagalpur through its Vice Chancellor, Sri Jawahar Lal, name of father not known to the petitioner.
3. Sri Jawahar Lal, name of father not known to the petitioner, the Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur.
4. Dr. Ramashish Purve, name of father not known to the petitioner, the Registrar, T.M. Bhagalpur University, Bhagalpur.
5. Sri Sanjay Kumar Jha, name of father not known to the petitioner, The Director, Agro-Economic Research Centre for Bihar and Jharkhand, T.M. Bhagalpur University, Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Advocate
For the Opposite Party/s : Mr. Additional Advocate General 13

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

10 18-03-2026 CWJC No.1256 of 2020 was disposed of with the following direction:-

“20. The respondent authority is directed to issue an order of confirmation either from the date of completion of probation period by the petitioner or from the date of confirmation of Dr. Amlendu Kumar causing resultant vacancy in the post held by Dr. Amlendu Kumar with all consequential reliefs, such action shall be taken by the University, within 60



days from the date of communication of this order.”

2. Since, the respondent authority failed and neglected to comply with the above order, the petitioner filed MJC No.1086 of 2025. During pendency of the contempt application, the Vice-Chancellor passed an order of confirmation of the petitioner from the date of completion of probation period, subject to the final decision by the Syndicate.

3. Subsequently, on 09.01.2026 a supplementary show cause was filed on behalf of the opposite party Nos.2 to 5, stating inter-alia, that the Syndicate of the University considered the matter for fixing the date of confirmation of the petitioner in service in its meeting dated 06.12.2025. It was unanimously decided in the said meeting that the service of the petitioner would be confirmed w.e.f. 06.08.2016 i.e. from the date of confirmation of Dr. Amlendu Kumar causing resultant vacancy in the post held by the said Dr. Amlendu Kumar.

4. In view of the said decision by the Syndicate, financial relief was duly granted to the petitioner.

5. The petitioner filed a rejoinder, stating inter-alia, that the service of the petitioner was confirmed w.e.f. 23.01.2010 by the University vide Order No.109/2025 dated 02.05.2025 issued by the Vice-Chancellor. The syndicate cannot



amend the said order and such amendment has caused great financial loss to the petitioner.

6. Having heard the learned Counsels for both the parties.

7. This Court finds that paragraph No.20 of the judgment passed in CWJC No.1250 of 2020 was absolutely clear regarding confirmation of the petitioner. It is let upon the University Authority to decide as to whether, the petitioner would be confirmed from the date of completion of his probation or from the date when the post remained vacant after the confirmation of Dr. Amlendu Kumar.

8. The Syndicate is the highest decision making body of the University. If the petitioner is aggrieved by the decision of the syndicate, he is at liberty to raise his grievance in a separate writ petition. The instant proceeding cannot decide such issue.

9. In view of such finding, the contempt application be dropped on full satisfaction.

(Bibek Chaudhuri, J)

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