

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7829 of 2026

Binay Kumar Mishra son of Late Badri Narayan Mishra R/O Shreenath Niketan, Matwari, P.O. & P.S Hazaribagh Sadar, District- Hazaribagh Jharkhand 825301 at present posted as Professor, Department of Physics, Maharaja College, Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary High Education, Government of Bihar, Main Secretariat, Patna.
2. The Principal Secretary, Human Resource Development Department, New Secretariat, Patna, Bihar.
3. The Chancellor University of Bihar, Patna.
4. The University Grants Commission through the Secretary Bahadur Shah Zafar Marg, New Delhi, 110002
5. The Secretary, University Grants Commission through the Secretary Bahadur Shah Zafar Marg, New Delhi, 110002
6. The Vir Kunwar Singh University, Bhojpur, Ara through its Vice Chancellor Ara Bhojpur.
7. The Vice Chancellor, Vir Kunwar Singh University, Bhojpur, Ara
8. The Registrar, Vir Kunwar Singh University, Bhojpur, Ara
9. The Secretary, Annada College, Hazaribagh
10. The Principal, Annada College, Hazaribagh

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Adv. Ms. Adya Pandey, Adv. Mr. Manas Rajdeep, Adv.
For the Respondent/s	:	Addl. Advocate General (13)
For the Respondents No. 6 to 8	:	Mr. Rajesh Prasad Chaudhary, Adv.

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-06-2026 Heard Mr. Sanjeev Kumar Mishra, learned senior

counsel duly assisted by Ms. Adya Pandey, learned counsel for

the petitioner and learned counsel for the Respondents State.

2. The present writ petition has been preferred for the

following relief(s):-

*“(i) For issuance of appropriate
writ(s)/order(s)/direction(s) quashing the*



order contained in memo no 533 dated 13.03.2026 issued under the signature of respondent registrar Vir Kunwar Singh University Ara, the representation of counting past service has been rejected.

(ii) For issuance of an appropriate writ in the nature of mandamus commanding the respondent authorities to consider the case of the petitioner for carrier Advances Scheme after calculating the service period with effect from 2.12.1989, rendered by the petitioner in Annada College, Hazaribagh with all consequential benefit.

(iii) Any other order or orders as your Lordships may deem fit and proper in the facts and circumstances of the case be granted to the petitioner.”

3. Learned counsel for the petitioner submits that pursuant to the advertisement dated 11.02.1988, the petitioner was initially appointed on the post of Lecturer (Physics) at Annada College, Hazaribagh (a permanently affiliated linguistic minority institution under the Vinoba Bhave University) on 02.12.1989 against the sanctioned post.

4. It has next been submitted that for grant of career advancement scheme, the petitioner has made a representation on 20.07.2005 which was forwarded by the Principal of the



Maharaja College on 04.08.2005. It is the case of the petitioner that the services which were rendered by this petitioner with effect from 02.12.1989 in a permanently affiliated linguistic minority institution under the Vinoba Bhave University has not been considered and therefore, this petitioner was forced to knock the doors of this Court on earlier occasion *vide* CWJC No. 21816 of 2018 and consequently, a contempt petition being MJC No. 893 of 2022 which is said to have been filed wherein the following order was passed on 10.08.2022:-

“.....Having regard to the facts and circumstances of the present case, the present modification petition stands allowed and the order dated 04.02.2019, passed by this Court in C.W.J.C. No. 21816 of 2018 is modified to the extent that the time granted to the petitioner for filing appropriate representation before the respondent no. 7 is extended by a further period of six weeks from today. The rest of the order dated 04.02.2019 shall remain the same, meaning thereby that in case appropriate representation is filed by the



petitioner within a period of six weeks from today, the same shall be considered in accordance with law and decided by the respondent no. 7 on merits within a period of eight weeks, thereafter.”

5. It has next been submitted that pursuant to the order passed in the aforesaid MJC, a detailed representation has been filed by the petitioner which is appended to the present writ petition as Annexure P/10. The authorities who were supposed to consider the claim of the petitioner by examining the materials referred in the representation but for unexplained reasons the same has been rejected by the Vice Chancellor *vide* Memo No. 533/2026 dated 13.03.2026 (Annexure P/11).

6. On the other hand, learned counsel representing the Vir Kunwar Singh University, on instruction, submits that apart from Annexure P/11 dated 13.03.2026, no order is said to have been passed on the representation of the petitioner.

7. At this stage, learned counsel for the petitioner submits that another writ petition being CWJC No. 18648 of 2021 was filed but since the grievances of the petitioner were found to have been redressed, the same was withdrawn.

8. Considering the facts that the order dated



13.03.2026, seems to be cryptic and there is no such consideration made by the authorities of the University in reference to the points raised in the representation, it is appropriate to set aside the order dated 13.03.2026 directing the Vice Chancellor, Vir Kunwar Singh, Bhojpur, Ara to pass necessary orders by resorting the procedures prescribed under the statute within a period of eight weeks from the date of the instant order.

9. The instant writ petition stands disposed of with the aforesaid direction and observation

(Ajit Kumar, J)

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