

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.640 of 2025

In
Civil Writ Jurisdiction Case No.6917 of 2025

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Dr. Vivek Kumar Son of Mr. Shailendra Kumar Singh, resident of Purbi
Kapasiya, Nagdah, P.O. and P.S. - Begusarai, District-Begusarai.

... .. Appellant/s

Versus

1. That Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Buddha Marg, Patna-800001, through its Secretary.
2. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Buddha Marg, Patna-800001.
3. The Additional Chief Secretary, Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
4. The Director, Higher Education Department, Government of Bihar, Vikash Bhawan, New Secretariat, Patna.
5. GLA University, Mathura (U.P.) through its Registrar.
6. The Principal, University Polytechnic, GLA University, Mathura (U.P.).

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Pramod Mishra, Advocate
For the Respondent-BSUC:		Mr. Anjani Kumar Sr. Advocate
		Mr. Rohan Sinha, Advocate)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-01-2026

This letters patent appeal has been filed by the
appellant, Dr. Vivek Kumar challenging the order dated
28.04.2025, passed by the learned Single Judge, in CWJC



No.6917 of 2025.

2. The writ petition was filed by the appellant with the following prayers :-

"For commanding and directing the Respondent Bihar State University Service Commission (Respondents No. 1 & 2) to appoint the petitioner on the post of Assistant Professor in the subject English after awarding him the teaching experience marks of four years i.e. 2 x 4=8 marks which has illegally been denied to the petitioner due to non-availability of stamp mohar on his said teaching experience certificate even though said teaching certificate of petitioner has legally and validly been issued by the Pro-Vice Chancellor as well as the Principal of University Polytechnic, GLA University, Mathura for the period from 25th July, 2016 to 28th June, 2020, considering the strong & bright academic background of the petitioner who has done well in the interview held on 05.03.2025 after declaring him qualified/successful in all the other round of the selection process".

3. The matter was taken on 28.04.2025. The learned Single Judge, taking note of the submission made on behalf of the Bihar State University Service Commission that the selection process for the post of Assistant Professor English pursuant to the advertisement dated 21.09.2020 has already been concluded and the result has also been published on



08.03.2025, came to hold that since the writ petition has been filed after publication of result on 24.03.2025, without impleading any of the candidates selected for the post of Assistant Professor English by the select list dated 08.03.2025, the relief sought for by the petitioner cannot be granted, hence the writ petition was dismissed.

4. The learned counsel for the appellant submits that he had orally made a prayer on 28.04.2025, when the matter was taken up, to give some time for filing appropriate application for impleading the necessary parties, who have been selected for the post of Assistant Professor English by select list dated 08.03.2025, but time was not granted and the impugned order was passed.

5. We do not find anything from the records that any such submission was made by the learned counsel for the appellant before the learned Single Judge, when the writ petition was filed after 16 days of the publication of the result, nonetheless it was the duty on the part of the petitioner to implead the successful candidates as opposite parties/respondents in the writ petition and the same having not been done, we find no illegality or perversity in the impugned order so as to be interfered with in the limited scope of letters patent appeal.



Accordingly, the LPA stands dismissed.

6. It is open to the appellant to take recourse in
accordance with law.

(Sangam Kumar Sahoo, CJ)

(Mohit Kumar Shah, J)

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AFR/NAFR	
CAV DATE	NA
Uploading Date	20.01.2026
Transmission Date	

