

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9528 of 2026**

Prof Dr. Achyuta Nand Singh Late Jaikrishna Prasad Singh Prof (Dr.) Achuta Na Nand Singh, Male, aged about 62 years, Son of Late Jaikrishna Prasad Singh, resident of Flat No. 103, Pratima Menson (Beside Mamta Apartment), Shivpuri, Boring Road, Police Station- Shashtri Nagar, District- Patna, Pin Code-800023.

... .. Petitioner/s

Versus

1. The State of Bihar, Through its Chief Secretary, Bihar, Patna.
2. The Hon'ble Chancellor, Universities of Bihar, Patna.
3. The Additional Chief Secretary, Department of Higher Education, Bihar, Patna.
4. The Jai Prakash University, Chapra, Saran through its Registrar.
5. The Vice Chancellor, Jai Prakash University, Chapra, Saran.
6. The Registrar, Jai Prakash University, Chapra, Saran.

... .. Respondent/s

**Appearance :**

|                      |   |                                                                       |
|----------------------|---|-----------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Rana Ishwar Chandra, Advocate<br>Dr. Ramesh Kumar Singh, Advocate |
| For the Chancellor   | : | Mr. Sajid Salim Khan, Sr. Advocate                                    |
| For the Respondent/s | : | Mr. Rajeshwar Singh, GA-10<br>Mr. Jitendra Kumar, AC to GA-10         |
| For the University   | : | Mr. Bindhyachal Rai, Advocate                                         |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL JUDGMENT**

**Date : 13-07-2026**

Learned Advocate for the respective parties are present.

2. The petitioner is aggrieved with the notification issued under Letter No. 5343-Est-I dated 27.05.2026, as also the notification contained in Letter No. 5362(R) dated 04.06.2026 to the extent it relates to the petitioner. The petitioner further sought a direction upon the respondent no. 5, the Vice



Chancellor as well as the Registrar of the University not to interfere in the present place of posting i.e. Professor, Graduate Department of Physics in University.

3. While assailing the impugned order, learned Advocate for the petitioner submitted that the Hon'ble Chancellor has framed the Statute for appointment of Principal in college or University and the same has been notified vide Notification No. B.S.U (Statutes-14/2023-647/GS(I) dated 03.05.2024; Under Clause 3.2.6 thereof, it clearly provided that in case of appointment/deputation of In-charge Principal, consent of the relevant person is mandatory. It is further contended that the learned Division Bench of this Court while hearing one of the identical matter in the case of ***Smt. Subha Sinha Vrs. Veer Kunwar Singh University and Ors. : (2008) 1 PLJR 576*** has ruled that “*deputation of an employee cannot be made without his consent.*” Reliance has also been placed on the decision rendered by the Apex Court in the case of ***State of Punjab and Ors. Vrs. Inder Singh & Ors. : (1997) 8 SCC 372*** where the Hon'ble Supreme Court while defining the concept of deputation has observed as follows :

“18. The concept of “deputation” is well understood in service law and has a recognized meaning “Deputation” has a different connotation in service law and the dictionary



*meaning of the word “deputation” is of no help. In simple words “deputation” means service outside the cadre or outside the parent department. “Deputation” is deputing or transferring an employee to a post outside his cadre, that is to say, to another department on a temporary basis. After the expiry period of deputation the employee has to come back to his parent department to occupy the same position unless in the meanwhile he has earned promotion in his parent department as per the Recruitment Rules. Whether the transfer is outside the normal field of deployment or not is decided by the authority who controls the service or post from which the employee is transferred. There can be no deputation without the consent of the person so deputed and he would therefore know his rights and privilege in the deputation post. The law on deputation and repatriation is quite settled as we have also seen in various judgement which we have referred to above”. (emphasis mine).”*

4. Referring to the aforementioned decisions, it is submitted that at no point of time, the consent of the petitioner has been sought for before issuing the impugned order for deputation and, as such, the same is not only contrary to the notification issued by the Vice Chancellor, the same is also against the mandate of law.

5. On the other hand, learned Advocate for the University refuting the contention submitted that the plea of the petitioner is not supported with any material evidence. Moreover, it is not the petitioner rather several identically situated persons have been deputed in different colleges where



there was dire need of posting of the Principal. It is further contended that identical matter has come up for consideration in C.W.J.C. No. 9715 of 2026 wherein the learned Co-ordinate Bench of this Court directed the Vice Chancellor of the University to consider the representation of the petitioner and pass appropriate order by 30.07.2026.

6. Having considered the submissions advanced by the learned Advocate of the respective parties and upon perusal of the materials available on record, especially the Notification dated 03.05.2024, issued by the Hon'ble Chancellor besides the fact that the petitioner has also agitated his grievance before the Hon'ble Chancellor and Vice Chancellor of the University, this Court deems it fit and proper to dispose off the present writ petition with the hope and expectation that the Hon'ble Chancellor of the University shall consider the representation of the petitioner dated 01.06.2026, the copy of which is placed on record as Annexure 4, and bring to its logical conclusion in the light of the submissions advanced by the petitioner, in accordance with law, preferably within a period of four weeks from the date of receipt/production of a copy of this order.

7. In the meantime, it is expected that the concerned respondents shall not give effect to the impugned order till the



final order is passed in the interest of justice.

8. The writ petition stands disposed off.

**(Harish Kumar, J)**

siddharth kr/-

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