

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20990 of 2025

Prof. (Dr.) Surendra Prasad @ Dr. Surendra Anal Son of Late Satya Narayan
Poddar, Resident of Mohalla- Balkrishna Nagar (Surkhikal), Tilkamanjhi,
Police Station- Barari, Town and District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Higher Education, Education Department, Government of
Bihar, New Secretariat, Patna.
3. The Auditor, Tilkamanjhi Bhagalpur University, Bhagalpur.
4. The Tilkamanjhi Bhagalpur University, Bhagalpur through its Registrar.
5. The Vice Chancellor, Tilkamanjhi Bhagalpur University, Bhagalpur.
6. The Registrar, Tilkamanjhi Bhagalpur University, Bhagalpur.
7. The Finance Officer, Tilkamanjhi Bhagalpur University, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suman Kumar. Advocate
For the T.M.B.U.	:	Mr. Ashhar Mustafa, Advocate
		Ms. Anita Kumari, Advocate
For the Respondent/s	:	Mr. Government Advocate (5)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*I. For issuance of a writ of mandamus or
any appropriate writ, order or direction
commanding the respondents to consider the date
of petitioner's appointment w.e.f. 11.07.1978 in*



place of 01.01.1981 and to pay the consequential service benefits to him as earlier directed by this Hon'ble Court in the light of the findings of one man committee constituted on the direction of this Hon'ble Court.

II. For issuance of a writ of mandamus or any appropriate writ, order or direction commanding the respondents to pay the arrears/ difference of salary considering his date of appointment from 11.07.1978.

III. For issuance of a writ order or directions commanding the respondents for grant of any relief or reliefs to which the petitioner may be deemed entitled by this Hon'ble Court.

3. Learned counsel for the petitioner submits that pursuant to the order dated 18.03.2013 passed in a batch of writ petitions, that is C.W.J.C. No.10032 of 2009 and analogous cases, the Co-ordinate Bench of this Court, with consent of the parties, had referred the matter of the colleges/universities teachers regarding determination of their qualifying period of service for the purpose of benefit of increment and promotion to One Man Committee headed by Hon'ble Mr. Justice S.N.Jha, by passing the following orders and the relevant portion of the said order dated 18.03.2013 is reproduced hereunder :-

“The term of reference of Justice Jha would be for determining the qualifying period of service of each and every teacher on whom notices have been served or action taken in furtherance to the



observation of the High Court in the earlier Orders. It is made clear that no deliberation and exercise would be required to be made on the correctness or otherwise of the appointment or entry into service at the thresh-hold though it will have relevance to the above determination and exercise. The issue of validity of appointments cannot be racked up now after more than two to three decades and there is an inherent presumption with regard to their continuance, taking into consideration the long span of service rendered by them. Justice Jha, however, would be obliged to give a hearing to the petitioners / teachers or their counsels and the university and the State Authorities are also free to assist Justice Jha in resolving an issue which has been pending for many many years due to protracted litigation. The Court leaves it to Justice Jha to make appropriate request or direction for the kind of logistics or support which he requires from the State Government for completing the task being conferred upon him by this Court."

4. It has next been submitted that One Man Committee headed by Hon'ble Mr. Justice S.N. Jha, has considered the case of this petitioner vide Case No.58 (T.M.B.U.) and found the case of this petitioner for consideration of merit promotion and other benefits for which



the reference was made and the report which finds favour to this petitioner, has been appended as Annexure-P/6, to the writ petition.

5. From the records, it appears that, the report of One Man Committee headed by Hon'ble Mr. Justice S.N.Jha, which was constituted under the orders of this Court, has already been tabled for consideration and it would be in fitness of things that the concerned authorities should now take a final decision with regard to the claim of this petitioner, for which, a detailed representation has already been placed before the Registrar, T.B.M.U on 24.07.2025, which till date, has not been adjudicated.

6. On the other hand, learned counsel for the University submits that since the report has already been tabled and the representation for consideration is pending before the Registrar, T.B.M.U. and hence, the matter may be directed for appropriate consideration in terms of the report submitted by One-Man Committee headed by Hon'ble Mr. Justice S.N.Jha.

7. Considering the submissions of the parties, this Court finds it appropriate to direct the Registrar, T.B.M.U., to consider the claim of this petitioner for grant of benefits, for which this petitioner is entitled, in terms of the recommendation



of the One Man Committee headed by Hon’ble Mr. Justice S.N.Jha, within a period of six weeks and if the claim of the petitioner is found justified, then the benefit which accrues to this petitioner shall also be extended in his favour, within the same time.

8. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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