

**(2021) 03 JH CK 0087**

**In the Jharkhand High Court**

**Case No : Writ Petition(S) No. 3600 of 2020**

Dr. Basudeo Prajapati

APPELLANT

Vs

State of Jharkhand And Ors

RESPONDENT

---

**Date of Decision :** 05-03-2021

**Acts Referred:**

**Citation :** (2021) 03 JH CK 0087

**Hon'ble Judges :** Sanjay Kumar Dwivedi, J

**Bench :** Single Bench

**Advocate :** Rajiv Nandan Prasad, Neetu Singh, Amresh Kumar, Sunil Kumar

**Final Decision :** Disposed Of

---

## **Judgement**

1. Heard Mr. Rajiv Nandan Prasad, the learned counsel for the petitioner, Mrs. Neetu Singh, the learned counsel for the respondent no.1, Mr. Amresh Kumar, the learned counsel for the respondent nos.2 and 3, and Mr. Sunil Kumar, the learned counsel for the respondent nos.4 and 5.

2. This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.

3. The petitioner has preferred this writ petition for direction upon the respondents to issue appointment letter forthwith and consequently allow them to work on the post of Assistant Professor in Education of 4 years B.A, B.Sc., B.Ed. integrated course of Vinoba Bhave University.

4. The Vinoba Bhave University introduced 4 years integrated course of B.A, B.Sc., B.Ed. (self financed) for which the University applied before the NCTE for its recognition and in pursuance to thereof, the NCTE through its letter dated 22.02.2016 asked for certain documents by the University and by letter dated 03.03.2018 the recognition was made by the NCTE. The employment notice

dated 06.06.2016 was published by the University for filling up the vacancy of Assistant Professor and Head of Department in the Under-graduate Department of Education. The petitioner applied for appointment on the said post and after conducting selection process, the petitioner was included in the select list for appointment to the post of Assistant Professor. The University from the said panel appointed the petitioner for the said 4 years integrated B.A, B.Sc., B.Ed. course and in pursuance whereof the petitioner has joined on 25.01.2017. The name of the petitioner was forwarded to the NCTE on 23.05.2017 for appointment on full-time and regular basis with all service conditions including pension, gratuity, provident fund etc. The petitioner has filed the undertaking before the University not to work in any other institution after his joining in the institute. The University took admission of the students for the said 4 years integrated course but the petitioner was not allowed to continue on his respective post rather the University started taking teaching work from the guest faculty.

5. Mr. Rajiv Nandan Prasad, the learned counsel appearing for the petitioner submits that the petitioner has also filed representation contained in Annexure-6. He submits that I.A. No.1274/2021 has been filed whereby he has brought on record the subsequent development for the said post and he has also challenged the same in the said I.A.

6. In view of the above facts, the learned counsel for the respondent-University fairly submits that when the petitioner's representation is also there that can be decided by the University.

7. The rest of the counsels for the other respondents are also in agreement to the proposal of the learned counsel for the respondent University.

8. In view of the above facts, the writ petition is being disposed of directing the petitioner to file a fresh representation before the respondent no.3 within a period of two weeks.

9. If such a representation is filed within the aforesaid period, the respondent no.3 shall consider the case of the petitioner in the light of the averments made in the writ petition as well as in the representation and will pass a reasoned order within a period of four weeks thereafter.

10. With the above observation and direction, the writ petition stands disposed of.

11. I.A if any also stands disposed of.