
(2015) 09 PAT CK 0028

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 5402 of 2007

Tara Shankar Mishra

APPELLANT

Vs

Bihar State Financial Corporation and Others

RESPONDENT

Date of Decision : 30-09-2015

Acts Referred:

Citation : (2015) 09 PAT CK 0028

Hon'ble Judges : S.P. Singh, J

Bench : Single Bench

Advocate : Nitu Kumari and Alok Kumar Verma, for the Appellant; Y.V. Giri, Advocates for the Respondent

Final Decision : Allowed

Judgement

Mihir Kumar Jha, J—Heard learned counsel for the parties.

2. The prayer of the petitioner in this writ application reads as follows:-

"For issuance of writ in the nature of certiorari or any other appropriate writ for quashing of the notification bearing No. 304/RAU dated 16.11.2009 issued under the signature of the Registrar, Rajendra Agricultural University, Pusa (Samastipur) (hereinafter referred to as "R.A.U." only), whereby in exercise of the powers contained under Section 36(2) & (3) of Bihar Agricultural University Act, 1987 (Bihar Act 8; 1988), the amendments of Statute 17.1(11) of the Rajendra Agricultural University Statutes (adopted mutatis mutandis) as approved by the Board of Management in its 76 meeting held on 23 September, 2009 and assented to the Chancellor as conveyed by the Officer on Special Duty (Judl), Governor's Secretariat vide letter No. RU-27/2009-3775/GS(1), dated 10.11.2009 are published under section 36(4) of the Act for general information, wherein, it is mentioned after proposed amendment in clause No. 11.1(11) that "candidates having Master's Degree in the relevant subject (s) who have not qualified the National Eligibility Test (NET) conducted by the UGC/ASRB/CSIR will have to pass the N.E.T Examination in the available opportunities after

appointment before completion of three years, failing which his/her service will be terminated without notice. This condition will not be applicable to the candidates having Ph. D. degree in the relevant subject (s).

For issuance of writ in the nature of mandamus or any other appropriate writ for directing the respondent University to implement the UGC regulations on minimum qualifications for appointment of teachers and other academic staff in Universities and colleges and measures for the maintenance of standards in higher education-2009 (hereinafter referred "regulation" only) particularly regulation No. 3.3.3 which provides:

"NET/SLET/SET/shall not be required for such Masters Degree Programmes in disciplines for which NET/SLET/SET/accredited test is not conducted. Any relaxation in the prescribed qualification, including the NET exemption, can be made only by the University Grants Commission in a particular subject in which NET/SLET/SET/is not conducted. Such relaxation would be based on the application made by only the affected universities for the specified subject (s) and for a specified period on sound justification.

Provided in case of State Universities, where NET/SET/SLET/qualified candidates are not available, the concerned Universities may grant exemption only with the concurrence of the respective State Government;

Provided further that exemption so granted in both the cases stated, shall be subject to the condition that the candidates shall acquire their NET/SLET/SET qualifications preferably within a period of 2 years, failing which, they shall not be eligible for any increments in their pay scales and for seniority for the years of service rendered by them without such qualifications. The eligibility for increments and service seniority shall become operational from the date of qualifying for NET/SLET/SET or acquiring Ph.D Degree as per the UGC Regulations, 2009."

For holding that the part of the notification bearing No. 304/RAU dated 16.11.2009 issued under the signature of the Registrar, Rajendra Agricultural University, Pusa (Samastipur) is illegal and void being inconsistent and in conflict with the provisions of regulation No. 3.3.3. of the Regulation 2009.

For issuance of writ in the nature of mandamus or any other appropriate writ for directing the respondent University for invoking/implementing the aforesaid notification bearing No. 304/RAU dated 16.11.2009 with respect to the petitioner and other similarly situated persons."

3. The facts giving rise to this writ application lie in a narrow compass. The respondent, Rajendra Agriculture University (hereinafter referred to as the University) had issued an advertisement for the post of Junior Scientist-cum-Assistant Professor in the different faculties of Agriculture, Agriculture Engineering, Home Science and Veterinary, for which necessary qualification was as follows:-

"Qualification:- Good academic record with at least 55% of the marks or an equivalent grade of B-in the 7 point scale with letter grades O, A, B, C, D, E & F at the Masters degree level in the relevant subject from an Indian University or an equivalent degree from a Foreign University. Besides fulfilling the above qualification candidates should have cleared the NET for lecturers conducted by the UGC, CSIR or similar test accredited by the UGC.

NET shall be relaxable for a candidate having two year Teaching & Research or Extension Education Experience in Univ./National Institutes of repute.

Ph.D if available shall be preferred. Knowledge of Computer is desirable. A relaxation of 5% may be provided from 55% to 50% of the marks at the master's level for SC/ST category. A relaxation of 5% may be provided from 55% to 50% of the marks to the Ph.D degree holders who have passed their Master's degree prior to 19th September, 1991."

4. The corrigendum thereafter was also issued on 15.05.2006, wherein, it was provided that those candidates having Master's Degree in the relevant subject, who had not qualified National Eligibility Test (NET), had to pass the N.E.T Examination in the available opportunities after appointment before completion of three years, failing which their services shall be terminated without notice. To that extent, the corrigendum dated 15.05.2006, being also relevant, is quoted hereinbelow:-

"CORRIGENDUM

In continuation to the Advt. No. 01/2006 dated 22.2.06 and Advt. No. 02/2006 dated 27.03.06 the qualification for the post of Junior Scientist-cum-Assistant Professor and Training Associate in the Pay Scale of Rs. 8000-13,500/- under different faculties and discipline may be read as:-

Candidates having Master's Degree in the relevant subject(s) who have not qualified the National Eligibility Test (NET) conducted by the UGC/ASRB/CSIR will have to pass the NET Examination in the available opportunities after appointment before completion of three years, failing which his/her services shall be terminated without notice. This condition will not be applicable to the candidates having Ph.D. Degree in the relevant subject(s) (This is subject to approval of competent authority).

Applications are invited under Advt. No. 01/2006 and 02/2006 dated 22.2.06 and 27.3.06 respectively as per above modified qualification up to 5 PM till 15 June, 2006. Application received after due date shall not be considered under any circumstance."

5. It is the case of the petitioner that he had filed his application pursuant to the aforementioned advertisement and corrigendum and an offer of appointment was issued to him on 29.05.2009 and Clause-16 thereof had again contained the mandatory requirement of passing the N.E.T Examination, which reads as follows:-

"16. The candidate having Masters Degree in the relevant subject, who has not qualified the National Eligibility Test (NET) conducted by the UGC/ASRB/CSIR will have to pass the NET Examination in the available opportunity after appointment before completion of three years, failing which his/her services shall be terminated without any notice. This condition will not be applicable to the candidate having Ph. D. degree in the relevant subject."

6. On 11 April, 2014, the University in continuance of its earlier order dated 30.09.2013 and 11.03.2013 had directed the petitioner to produce the certificate of his passing the N.E.T Examination failing which his service was to be terminated w.e.f. 11.06.2014.

7. This writ petition was in fact filed even before the said order and the University seeking to terminate the services of the petitioner w.e.f. 11.06.2014, assailing the requirement of N.E.T, on different grounds. The respondent-University has filed its counter affidavit, wherein, it has been stated that the challenge of the petitioner to the statute contained in notification dated 16.11.2009 adopted by the Board of Management and assented by the Hon'ble Chancellor and published on 10.11.2009, requiring the candidates having Masters Degree, who had not qualified in the N.E.T Examination will have to pass the N.E.T Examination in the available opportunity, before completion of three years, failing which their services could be terminated has already been decided by Division Bench judgment of this Court in its order dated 27.06.2012 passed in C.W.J.C No. 8381 of 2012 and C.W.J.C No. 1676 of 2012, vide two different judgments dated 28.06.2012, wherein, the writ petitions were dismissed on the ground that such amendment in the statute as with regard to N.E.T Examination was correct and in fact the petitioners of both cases having accepted the terms and conditions of appointment on passing the N.E.T Examination within a period of three years were stopped from challenging the statute.

8. Reliance also has been placed by the University in its counter affidavit on the judgment of the learned Single Judge dated 04.07.2012 in C.W.J.C No. 11142 of 2012 and its affirmance in L.P.A. No. 117 of 2013 disposed of on 29.01.2013, holding that the candidates who had failed to obtain N.E.T Examination within five years from the date of their appointment, were fit to be removed from service. The University has also placed on record an order of this Court dated 29.11.2012 in C.W.J.C No. 20552 of 2012 and its affirmance in the order dated 15.07.2013 in L.P.A No. 1963 of 2012, holding similar view as with regard to mandatory nature of possessing the qualification of N.E.T.

9. The petitioner has also filed supplementary affidavit as also rejoinder to the counter affidavit.

10. Apart from the aforesaid pleadings an interlocutory application being I.A. No. 9434 of 2013 on behalf of one Parmanand Mandal seeking intervention for making intervenor to the present application.

11. I.A No. 9434 of 2013, however, was not pressed by anyone at the time of

final hearing and as such it is dismissed both on the ground of its being not pressed as also that there being no provision in Patna High Court Rules for seeking intervention to be added as a petitioner. Chapter-XXI-C of Patna High Court Rules permits an intervention by effective person to be added as respondent for being heard in opposition to the prayer made in this writ application.

12. Thus I.A No. 9434 of 2013 is dismissed, but nothing said as with regard to dismissal of the prayer of Parmanand Mandal for being added as intervener to this writ application, shall adversely affect his right to pursue his remedy as may be available to him in law.

13. Reverting back to the prayer of the petitioner, this Court will have no difficulty in holding that the qualification of N.E.T Examination as prescribed by the statute is mandatory qualification and no error has been committed by the respondent-University in making such provision of necessity of qualification of N.E.T Examination by statute. As a matter of fact, the issue was directly gone into by the Division Bench of this Court in C.W.J.C No. 8381 of 2012 (Rubi Kumari vs Bihar Agriculture University & Ors), wherein, having noted the same advertisement and corrigendum, it had held as follows:-

"We are afraid, we are unable to agree with Mr. A.B. Ojha. It is indisputable that for the post in question, a candidate is required to have a Ph.D. Degree or to have passed the National Eligibility Test. The petitioner has not secured either of the qualifications; she has no right to continue in service. At first she did accept the conditional appointment; she did avail of the time for passing the National Eligibility Test; she did avail the extended period also. The petitioner having failed to qualify herself as required in the advertisement, as agreed by her by executing the bond and as required under the statutory provisions; her challenge to the office memorandum dated 25th June 2009 or 11th June 2012 or the impending discharge from service is not sustainable. The petition is dismissed in limine."

14. The same view was again taken by this Court in the case of Shiv Kumar Chaudhary & Ors vs Bihar Agriculture University and Others (C.W.J.C No. 1676 of 2012), disposed of on 28.06.2012, wherein, this Court had held as follows:-

"Learned counsel Mr. Rajendra Prasad Singh has appeared for the petitioners. He has relied upon the advertisement No. 1 of 2006. He has submitted that the advertisement clearly specified that candidate must have passed NET examination or shall have two years" teaching experience. The petitioners now have five years" teaching experience. Their services could not have been terminated on the premise that they had not passed the NET.

He has next relied upon a resolution passed by the Veterinary Council of India. He has submitted that the Veterinary Council of India has decided that for appointment on teaching post in Agriculture University, a candidate shall not need to have the qualification of passing the NET. He has next submitted that in

any view of the matter the University having selected and appointed the petitioners, although, they do not pass the NET qualification, the University cannot be permitted to terminate the service of the petitioners on the specious ground that the petitioners were bound to clear the NET. In support of his submissions Mr. Singh has relied upon the judgment of the Hon'ble Supreme Court in the matter of Ram Sarup Vs. State of Haryana and Others, AIR 1978 SC 1536 : (1978) 37 FLR 229 : (1978) 2 LLJ 409 : (1979) 1 SCC 168 : (1978) 10 UJ 773 .

Mr. Singh has also submitted that the University Grants Commission Act does not apply on the petitioners. Learned advocate Mr. Anil Kumar Upadhyaya has appeared for the University. He has relied upon the University Grants Commission Regulations, 1994 and the Judgment of the Hon'ble the Supreme Court in the matter of University of Delhi Vs. Raj Singh and others, AIR 1995 SC 336 : (1994) 6 JT 1 : (1994) 4 SCALE 10 : (1994) 3 SCC 516 Supp : (1994) 3 SCR 217 Supp : (1994) 3 SLJ 116 : (1994) 2 UJ 753 . Pursuant to the report of the Mehrotra Commission, the University Grants Commission Act and Regulations were modified to provide for a test at the national level to secure best of the people as teachers.

We do not agree with Mr. Rajendra Prasad Singh. The Advertisement No. 1 of 2006 specifically provided for eligibility for appointment of the Assistant Professor-cum-Junior Scientist.

It further provided "besides fulfilling the above qualifications, candidates should have cleared the National Eligibility Test (NET) for lecturers conducted by the UGC, CSIR or similar test accredited by the UGC". "NET shall be relaxable for a candidate having two years teaching or Research or Extension Education experience in a University/National Institute of repute"

The corrigendum to the advertisement read, "Candidates having Master's Degree in the relevant subject(s) who have not qualified the National Eligibility Test (NET) conducted by the UGC/ASRB/CSIR will have to pass the NET examination in the available opportunities after appointment before completion of three years, failing which his/her services shall be terminated without notice. This condition will not be applicable to the candidates having Ph.D. Degree in the relevant subject(s) (This is subject to approval of competent authority)."

Thus the advertisement was very specific in respect of the requirement of passing the NET.

The order of appointment and the agreement bond specified that the petitioners had to clear the NET within three years from the date of appointment. The said date was later on extended to five years under University Notification dated 16th November 2009 notified in the Official Gazette of the Bihar Government on 19th April 2012. As to the decision of the Veterinary Council of India we have not examined the enforceability of the said decision. In the said decision of the Veterinary Council of India it was decided that "NET may not be made a

prerequisite for recruitment for teaching faculty in case NET is considered to be an Impediment to the recruitment process." At first, we have noticed, the said Resolution decided on 25th November 2008 cannot have a retrospective effect. Second we have our own doubt about the legal enforceability of the said communication. Third, the said communication does not make it imperative to do away with the NET qualification nor does it direct any University to amend its Regulation or statutes to be in consonance with the said communication.

In our opinion the eligibility provided in the University statutes shall prevail over the aforesaid communication dated 25th November 2008.

In any view of the matter, we do not see any merit in the writ petition. Petition is dismissed in limine."

15. Yet again, a learned Single Judge of this Court by order dated 04.07.2012 in C.W.J.C No. 11142 of 2012 (Rakesh Kumar vs Rajendra Agriculture University and Ors), had rejected similar plea as being raised by the petitioners of this case by placing reliance on the Division Bench Judgment of this Court on 28.06.2012 in C.W.J.C No. 1676 of 2012, and the relevant portion of the order of the learned Single judge dated 04.07.2012 in C.W.J.C No. 11142 of 2012, the case of Rakesh Kumar (supra) reads as follows:-

"The order of the Division Bench is explicit in its details commencing from the conditions incorporated in the advertisement making the appointment conditional to obtain the NET qualification, the extension of the time limit for the same and the mandatory nature of the requirement declining interference.

Additionally, the Court is of the opinion that if the petitioner applied in response to the advertisement after being fully aware of the condition to acquire the NET qualification within a period of two years, signed a bond, did not question it, remained silent when the period was extended from three years to five years, failed to obtain the NET qualification within the extended period also, he cannot be permitted to now turn around and virtually challenge the advertisement itself in pursuance of which he came to be appointed.

The writ application is dismissed."

16. The aforesaid order of learned Single Judge in the case of Rakesh Kumar (supra) was again affirmed by the Division Bench in its order dated 29.01.2013 in L.P.A. No. 1171 of 2013.

17. Similarly, the same view as with regard to necessity of passing the examination of NET as stipulated in the terms and conditions of the offer of appointment was gone into by learned Single Judge of this Court in the order dated 29.11.2012 in C.W.J.C No. 20552 of 2012, wherein, it was held as follows:-

"12. Having heard the parties at length and considered the materials on record I am unable to accept the submissions made on behalf of the petitioner. In my view, the advertisement does not provide for any relaxation from NET clearance

in case of persons having a Ph.D. degree rather only for a relaxation of 5% in the marks and that too only in respect of those Ph.D. degree holders who had passed their Master's degree prior to 19.9.1991.

13. I am also in agreement with the submission of the learned counsel for the University that the intention behind the corrigendum was that the condition for NET clearance would not apply only in respect of existing Ph.D. degree holders on the date of their appointment, which is evident from the use of the words "having Ph.D. degree" in the phrase "This condition will not be applicable to the candidates having Ph.D. degree in the relevant subject(s)".

14. I am also of the view that the letter dated 25.6.2009 (Annexure-6) which forms the main plank of the petitioner's submissions simply because it advises the petitioner to submit the "NET/Ph.D. clearance certificate", cannot be read in a manner so as to override the advertisement and corrigendum itself. The totality of the contents of the said letter does not suggest that the petitioner has been granted any relaxation from the mandatory requirement of clearing the NET examination rather the emphasis was clearly on the condition requiring NET clearance in terms of the bond executed by the petitioner. Thus, the petitioner has not been advised to submit his Ph. D clearance as an alternative to NET clearance.

15. Learned counsel for the petitioner then places reliance on the decision reported in Union of India (UOI) and Others Vs. Miss Pritilata Nanda, AIR 2010 SC 2821 : (2010) 110 CLT 811 : (2011) 128 FLR 838 : (2010) 7 JT 360 : (2011) 2 LLJ 305 : (2010) 11 SCC 674 : (2011) 1 SCC(L&S) 777 : (2010) 8 SCR 733 : (2010) 7 UJ 3642 : (2010) AIRSCW 4643 whereas even though the petitioner's name had not been sponsored by the Employment Exchange as required, yet the Supreme Court granted relief in that case. In my view, this judgment cannot come to the aid of the petitioner. Apart from the distinguishable context in which it was rendered, the facts of that case as recorded by the Division Bench of the High Court as noticed by the Supreme Court (para 12 of the judgment) show that all the requirements of the advertisement inviting applications by the Railways had been fulfilled leading to that petitioner's application being accepted and ultimately the select list contained her name. The present case is one in which the requirements of the advertisement mandated passing the NET examination, which precondition has not been fulfilled by the petitioner.

16. Learned counsel for the petitioner next relies on the decision rendered in Motilal Padampat Sugar Mills Co. Ltd. Vs. State of Uttar Pradesh and Others, AIR 1979 SC 621 : (1979) 118 ITR 326 : (1979) 2 SCC 409 : (1979) 2 SCR 641 : (1979) 44 STC 42 and seeks to employ the doctrine of promissory estoppel to submit that the petitioner had acted upon the promise of the respondents and joined the post, and thus could not be terminated in the manner done. In my view, the principles of promissory estoppel are not applicable in the instant case where the appointment itself was a conditional one and the petitioner failed to fulfill the precondition of passing the NET examination.

17. For the above reasons, I hold that the petitioner was bound to clear the NET examination as a part of the conditions of his appointment which he has clearly failed to demonstrate having done, and as such there is no infirmity in the action of the respondents terminating the petitioner from his post.

18. The writ petition accordingly stands dismissed."

18. The aforesaid order passed by the learned Single Judge in the case of Dr. Awadh Kumar Patel was also affirmed by the Division Bench of this Court dated 15.07.2013 in L.P.A No. 1963 of 2012, wherein after discussing the provision of statute, it was held as follows:-

"It is evident that passing of the NET is a condition precedent for appointment as Junior Scientist - cum -Assistant Professor. Only in case the NET qualified candidates are not available, the University is permitted to appoint persons having Post Graduate qualification in the relevant subject and good academic record as stipulated in the statute on condition that such person shall pass the NET within three years from the date of his appointment. The NOTE also specifies that the candidates having Ph.D. would be preferred, i.e. amongst the unqualified candidates (candidates not having NET certificate), the person having Ph.D. qualification would be preferred. Both, the persons having experience and the persons having Ph.D. degree fall within the category of unqualified candidates if they do not possess NET certificate.

It is, therefore, more than clear that the relaxation referred to in the second part of the statute refers to a Ph.D. degree possessed at the time of appointment and not the one acquired after the appointment. The plea of promissory estoppel requires to be rejected outright. First, there cannot be promissory estoppel against the statute; and second, not only the advertisement but the appointment order also did specify that the appellant would have to pass the NET within three years from the date of appointment. The appellant had also executed a personal bond to that effect. The question of promissory estoppel does not arise. The learned single Judge has rightly dismissed the Writ Petition.

No case for interference is made out.

Appeal is dismissed in limine."

19. Let it be noted that on 15.01.2015, learned Single Judge of this Court in a batch of writ petition being C.W.J.C No. 5768 of 2014 (Rakesh Kumar Prasad & Ors vs Bihar Agricultural University & Anr), itself has once again gone into the whole issue in detailed manner while examining the power and stand of ICAR in relation to N.E.T Examination and had held as follows:-

"In the entirety, therefore, the plea of the petitioners for interfering with the conditions of advertisement at this belated stage is far fetched kind of prayer which has been made. Such a relief cannot be granted to the petitioners after they have enjoyed the privilege of selection without going through the eligibility which they were required to fulfill. They have also been given indulgence of five

years. Having failed to pass in so many years they cannot be permitted to challenge a clause of advertisement issued on 4th April, 2008. Such concession will be inequitable kind of relief, which this Court cannot give or grant.

Since the reason for termination is attributable to the petitioners and they have failed to qualify the N.E.T. examination in the five years of time slot made available to them, the reason of termination cannot be said to be arbitrary or unsustainable in any manner.

Any kind of dilution of eligibility or requirement of such selection at this belated stage in fact, would be in violation of Articles 14 and 16 of the Constitution as well. Further such dilution cannot be made from a retrospective date after the entire selection process was completed and appointment made. The petitioners are estopped from doing so.

Counsel representing the University further points out that the University has now issued notification that the minimum qualification of N.E.T. is a must for all future recruitment for such post. This only strengthens the position for not interfering with the earlier advertisement because the University has not diluted the requirement even for future recruitment. Since the rigour of passing N.E.T. has come to stay and since the petitioners have not passed the N.E.T. examination in the last five years of their continuance on the post. They cannot be given any concession now by either interfering with the advertisement or with the orders of termination.

The writ applications, therefore, are dismissed for the reasons indicated above."

20. Before this Court would go into any other submission, it must also record that the Apex Court in its recent judgment in the case of P. Suseela and Others Vs. University Grants Commission and Others(2015) 2 ESC 201 : (2015) LabIC 2251 : (2015) 3 SCALE 726 : (2015) 2 SCT 580 , has upheld the validity of N.E.T Examination and the regulation framed by the University Grant Commission as with regard to N.E.T Examination.

21. In that view of the matter, the challenge of the petitioner to the Statutes must be and is hereby rejected. The petitioner cannot be allowed to now question the terms and conditions of advertisement or the offer of appointment specifically containing a clause of passing of N.E.T Examination. As with regard to retrospectivity of U.G.C, the matter again stand settled in the case of P. Sushila (supra). The only additional submission made by the learned counsel for the petitioner as with regard to the petitioner though being not qualified at the time of his initial appointment had subsequently acquired the same by way of experience and therefore, was not liable to be terminated has to be again noted for its being rejected. As noted above, offer of appointment of the petitioner was very clear particularly from Clause-16, which is already quoted above and he having accepted such condition cannot make out a different case. In this regard, the reliance placed by Mr. Singh on the judgment of the Apex court in the case of Ram Sarup Vs. State of Haryana and Others, AIR 1978 SC 1536 : (1978) 37 FLR

229 : (1978) 2 LLJ 409 : (1979) 1 SCC 168 : (1978) 10 UJ 773 , is wholly misconceived, inasmuch as, it was held therein that if the minimum qualification laid down in the Rule was not fulfilled by the candidate such appointment was not valid. The plea of regularization as accepted by the Apex Court in the case of the petitioner also cannot be made applicable because there in the case of Ram Sarup (supra) were being looked by the candidate of five years experience. He did not lack any educational qualification or professional qualification like one in the present case by the petitioner of having passed the N.E.T Examination. Thus whatever was said in the case of Ram Sarup (supra) cannot be made applicable in the facts of the case of the petitioner. Let it be noted that this plea of applicability of the case of Ram Sarup (supra) was directly gone into in respect of N.E.T Examination by the Division Bench of this Court in the case of Shiv Kumar Chaudhary (supra) and was not accepted.

22. Finally as with regard to reliance placed by the learned counsel for the petitioner on the recommendation of the S.C., S.T. Commission or the recommendation of the Government of Bihar, they cannot override the statutory provision and the terms and conditions of the appointment of the petitioner. The S.C., S.T. commission cannot dictate the terms and conditions and qualification for appointment on the post of Junior Scientist-cum-Assistant Professor in Rajendra Agriculture University.

23. Thus for the reasons indicated above, this writ application also must fail and is, accordingly, dismissed.