

Court No. - 39

Case :- WRIT - A No. - 19027 of 2021

Petitioner :- Nagendra Narayan Mishra

Respondent :- Chancellor Sampurnanand Sanskrit, University
And 5 Others

Counsel for Petitioner :- Shikhar Tandon

Counsel for Respondent :- C.S.C., Adarsh Singh, Avneesh
Tripathi, Brijendra Kumar Pandey, Indra Raj Singh, Uday Bhan
Mishra, Ved Byas Mishra

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Heard Shri Shikhar Tandon, learned counsel for the petitioner, Shri Avneesh Tripathi, learned counsel appearing for the Sampurnanand Sanskrit University, Varanasi and learned Standing Counsel for the State.

2. Present petition has been filed to quash the order dated 24.11.2021 passed by Chancellor, Sampurnanand Sanskrit University, Varanasi.

3. By that order, the testimonials of the petitioner had been doubted and an enquiry had been constituted. Based on that order, the salary of the petitioner had also been discontinued by the D.I.O.S., Varanasi.

4. Today, Shri Avneesh Tripathi, learned counsel appearing for the University fairly states, upon last enquiry held pursuant to the order dated 24.11.2021, Vice-Chancellor of the said University has verified the testimonials of the petitioner *vide* order dated 2.6.2023 issued against the Letter No. 4889 of 2023. That order is also on record by means of the second supplementary affidavit. The Vice-

Chancellor has also observed that the salary payment of the petitioner may be revived.

5. In view of the above facts, the cause of action as brought before this Court does not survive. Practically, the writ petition has been rendered infructuous as the enquiry instituted by the Chancellor has concluded in favour of the petitioner. Consequently, his testimonials stand verified and he has also been found eligible to payment of salary.

6. Accordingly, the writ petition is **disposed of** in light of the facts noted above with the further observation that the salary payment of the petitioner may be revived forthwith. All arrears of salary may be paid out to him within a period of one month from today.

Order Date :- 3.11.2023
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(Shiv Shanker Prasad, J.) (S.D. Singh, J.)