



**THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL
PRADESH)
KOHIMA BENCH**

Case No. : WP(C)/111/2024

AJIT WAHLANG
S/O P MANIHAR SINGH
R/O H.NO. 587, NONGPDENG
MAWSHBUIT, EAST KHASI HILLS, MEGHALAYA-793007

VERSUS

THE GLOBAL OPEN UNIVERSITY, DIMAPUR AND ANR
REPRESENTED BY THE VICE CHANCELLOR
SODZULHOU, 7TH MILE VILLAGE
P.O.- ARTC DIMAPUR
DIMAPUR, NAGALAND 797112 2:THE REGISTRAR
THE GLOBAL OPEN UNIVERSITY
DIMAPUR
SODZULHOU
7TH MILE VILLAGE
P.O. ARTC
DIMAPUR
NAGALAND-79711

Advocate for the Petitioner : I IMCHEN

Advocate for the Respondent :

B E F O R E
HON'BLE MR. JUSTICE NELSON SAILO

24.06.2024

Heard Ms. Asa Rutsa, learned counsel for the petitioner who submits that the petitioner was appointed as Faculty Member under the Department of Hotel Management & Catering Technology in the Global Open University, Nagaland at Dimapur on contractual basis in the Pay Band of PB-2-9300-34800+GD-4400 per month plus other allowances as admissible under the Rules of the University. His service was regularized upon completion of 3 years contract service, vide Order dated 20.04.2017 w.e.f. joining the post. However, since the University could not pay the petitioner his regular salary for quite some time, he was forced to submit his resignation later on 22.03.2021 and the same was accepted by the University authorities i.e. the Vice Chancellor vide Order dated 24.03.2021 w.e.f. 22.03.2021 (FN).

[2.] According to the petitioner, the Accountant of the University has calculated the amount which is due to the petitioner towards salary which comes to Rs. 9,59,388/-. The learned counsel for the petitioner submits that the respondent authorities have failed to pay their share of the Employees Provident Fund (EPF) as well. The learned counsel therefore submits that the respondent University may be directed to pay the arrear salary to the petitioner and to deposit their matching share in the EPF alongwith interest for the delayed payment.

[3.] The learned counsel has also drawn the attention of this Court to the Order dated 22.03.2024 passed by a Co-ordinate Bench of this Court in WP(C) No. 207/2022 wherein, the respondent authorities were directed to clear the arrear salary due to the petitioner therein alongwith Employees' Provident Fund amount within a time frame. The learned counsel submits that a similar direction may be passed in the instant case as well.

[4.] Considering the submissions made by the learned counsel for the petitioner and importantly, on perusal of the statement prepared by the Accountant of the University (Annexure-I) showing the amount due to the petitioner as Rs. 9,59,388/-, the writ petition is disposed of with a direction to the respondent authorities to examine and verify the claim for payment of arrear salary claimed by the petitioner and to pay the amount due to him alongwith the EPF amount within a period of 4 months from the date of receipt of a certified copy of this order. The petitioner also shall submit a copy of the writ petition alongwith a certified copy of this order to the respondent No. 2.

Sd/-

JUDGE

Comparing Assistant

Page No.# 4/4