

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 597 of 2011

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1. Non-Teaching Employees Association of Marwari College, Kishanganj, District – Kishanganj through the Secretary namely Ganga Nath Jha, son of Late Lakshmi Kant Jha.
 2. Non-Teaching Employees Association of Purnea College, Purnea, District – Purnea through the Secretary namely Tribeni Ray, son of Late Dhanu Lal.
 3. Non-Teaching Employees Association of Purnea Mahila Mahavidyalaya, Purnea, District – Purnea through the Secretary namely Sri Lal Pandit, son of Late Nawa Lal Pandit.
 4. Non-Teaching Employees Association of Forbisganj College, Forbisganj, District – Araria through the Secretary namely Vidya Nand Das, son of Anup Ram Das.
 5. Non-Teaching Employees Association of Araria College, Araria, District – Araria through the Secretary namely Md. Perwaiz Alam, son of Late Md. Yasin.
 6. Non-Teaching Employees Association of Nehru College, Bahadurganj, District – Kishanganj through the Secretary namely Muzaffar Quayum, son of Late Jafrul Hodda.

.... Petitioners

Versus

1. Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, through the Vice Chancellor.
2. The Vice Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
3. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
4. The Finance Officer, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
5. The Principal, Marwari College, Kishanganj, District – Kishanganj.
6. The Principal, Purnea College, Purnea, District – Purnea.
7. The Principal, Purnea Mahila Mahavidyalaya, Purnea, District – Purnea.
8. The Principal, Forbisganj College, Forbisganj, District – Araria.
9. The Principal, Araria College, Araria, District – Araria.
10. The Principal, Nehru College, Bahadurganj, District – Kishanganj.
11. Principal Secretary, HRD, Govt. of Bihar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. S.B.K.Mangalam

For the Respondent/s : AC to SC 23

Mr. Manish Dhari Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6. 23-11-2015

Heard Sri S.B.K.Mangalam, learned counsel for

petitioners, learned A.C. to Standing Counsel – 23 as well as Sri Manish Dhari Singh, learned counsel for the respondent/B.N.Mandal University.

The petitioners association have approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India with a prayer to quash a communication contained in letter no. A/C-340/10 dated 04-10-2010 (**Annexure – 1** to the writ petition) to the extent of column no. 2 under the heading “Space for special instructions”.

Learned counsel for petitioners submits that despite the fact that State Government has disbursed 100% of the amount, the University, without any rhyme and reason, has allocated only 93.25% of the amount for disbursement of the salary of non-teaching staff of Marwari College, Kishanganj.

Sri Mangalam, learned counsel for petitioners submits that subsequently the University has disbursed 100% of the amount and now the employees are getting full salary. He submits that the difference of amount, in view of Annexure – 1, has not been paid till date.

On going through the materials on record, it appears that petitioners after issuance of Annexure – 1 have directly approached this Court without demanding justice from the

University in question.

In view of the facts and circumstances, the Court proposes to dispose of the writ petition granting liberty to petitioners to file detailed representation before the Registrar of the B.N.Mandal University/respondent no. 3 raising the grievance for payment of remaining amount.

It goes without saying that if such representation is filed before respondent no. 3 within a period of six weeks from today, the respondent no. 3 may examine the same and pass appropriate orders in accordance with law, preferably within a period of three months from the date of filing such representation. If respondent no. 3 considers the claim of petitioners as genuine, he will pass consequential order for clearing the dues. Even in case of refusal, the respondent no. 3 is required to pass a detailed speaking order within specified time.

The writ petition stands disposed of.

(Rakesh Kumar, J.)

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