

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.63 of 2011

IN

Civil Writ Jurisdiction Case No. 7846 of 1997

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1. Parmatma Singh S/O Shri Kamta Singh Resident Of Village- Nagpur, P.O Nagpur, Police Station- Rasara, District Balia (U.P), At Present Working As Lecturer In Economics Department In Maharana Pratap College, Mohania, Kaimur, Police Station- Mohania, District- Bhabhua.

.... Appellant/s

Versus

1. Bir Kunwar Singh University, Arrah Through Its Registrar
2. Bihar College Service Commission, Patna, Through Its Secretary, Boring Canal Road, Patna
3. Govering Body Of Maharana Pratap College, Mohania Kaimur (Bhabhua) Through Its Secretary Shri Arun Kumar.

.... Respondent/s

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For the Appellant/s : Mr Dronacharya, Advocate

For the University : Mr Sarvadeo Singh, Advocate

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE MR JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

(Per: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 07-07-2015

Heard learned counsel for the appellant who was the writ petitioner and learned counsel for the University.

2 Having perused the order of the learned Single Judge, we do not find any infirmity therein.

3 There does not appear to be dispute that post of Lecturer in Economics was duly sanctioned by the State Government in this affiliated College. Petitioner had been working from before.

He sought for being regularized on the said post.

4 Learned Single Judge noticed that the College Service Commission having been abolished, it was for the University to take necessary steps in the matter and, accordingly, directed the writ petitioner to approach the University who was to pass appropriate orders. While doing so the learned single Judge rightly observed that it was not a fit case in which the learned Single Judge would observe anything with regard to the payments to be made to the writ petitioner.

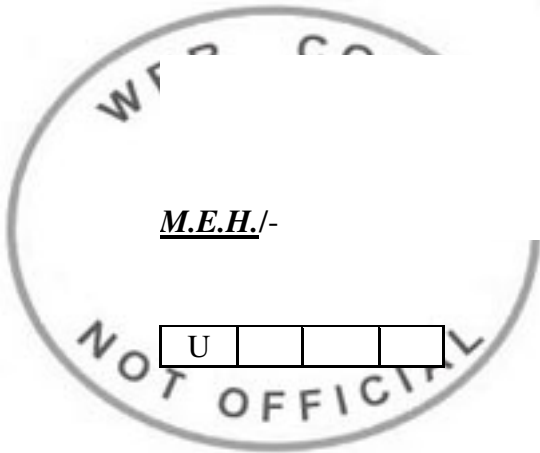
5 Learned counsel for the appellant-writ petitioner submits that now the scheme of sanctioning post with or without financial assistance has been cancelled by the State in the year, 2008. State is now providing financial assistance.

6 In our view, the statement is only partially correct for State is now giving grants to all Colleges depending upon the academic performance of students therein. It is for the Managing Committee to utilize the grants in the manner they like which would include payment of wages to the teaching and non-teaching staff. That is not a dispute which concerns the University and also it does not concern the court.

7 Therefore, we do not find any infirmity in the order of the learned Single Judge. This appeal is, accordingly, dismissed.

8 It is expected that the University would take final

decisions in the matter expeditiously.



(Navaniti Prasad Singh, J)

(Rajendra Kumar Mishra, J)