

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3656 of 2014

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Dr. Ajoy Kumar Son Of Late Ram Abnish Ojha Resident Of Indira Mansion, Khabra Road, Police Station - Kazi Mohammadpur, And District - Muzaffarpur Was Working As Professor Deptt. Of Economics, L.S. College, Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Human Resources Development, Bihar, Patna
2. The Secretary Higher Education Department Of Human Resources Development Bihar, Patna
3. B.R.A. Bihar University Muzaffarpur, Through Its Registrar
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur
5. The Registrar B.R.A. Bihar University, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj
For the Respondent/s : AC to SC No. 21
Shri Dhruv Mukherjee

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-01-2015 Heard learned counsel for the petitioner, learned AC to SC No. 21 as well as Sri Dhruv Mukherjee, learned senior counsel, who has appeared on behalf of B.R.A. Bihar University.

The petitioner, who claims to be a retired Professor and retired with effect from 30.11.2009 has approached this court invoking its writ jurisdiction under Article 226 of the Constitution Of India with a prayer to direct the respondents to pay his admitted post retiral dues. It has been admitted in the writ petition that some of the retiral dues have been paid to the petitioner. Learned counsel for the petitioner further submits that regarding

the claims raised in the present petition petitioner has also filed representation before the Registrar of the University.

Instead of asking Sri Dhrub Mukherjee, learned senior counsel for B.R.A. Bihar University, to file counter affidavit, the court proposes to dispose of the present writ petition granting liberty to the petitioner to file fresh representation before the Registrar of the University i.e. Respondent No. 5 detailing his claim within a period of eight weeks from today. If such representation is filed, the respondent no. 5 is required to examine the claim of petitioner and if he considers the claim of petitioner as genuine, he is required to take consequential steps and ensure payment of remaining retiral dues within a period of two months. Even in case of refusal to grant relief as per representation of the petitioner, the respondent no. 5 is required to pass a speaking order and communicate the same to the petitioner within the aforesaid time.

With above observation and direction, the writ petition stands disposed of.

(Rakesh Kumar, J)

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