

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13446 of 2014

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Dr. Rabindra Nath Thakur, son of Late (Pt.) Shree Kant Thakur, resident of Bawanbigha, Main Road, Opposite Shiv Mandir, Kanhauli, P.O.- Ramna, P.S.- Mithanpur, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna
2. B.R. Ambedkar Bihar University, Muzaffarpur, through its Registrar
3. Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur
4. Registrar, B.R. Ambedkar Bihar University, Muzaffarpur
5. Accountant and Comptroller General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Advocate

For the Respondent No.1 : Mr. Arvind Ujjwal, SC 25

For the Respondent Nos. 2 to 4 : Mr. Santosh Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 10-05-2016

Heard the parties.

2. The petitioner, who claims to have superannuated from service on 31.03.2003 from the post of University Professor of Zoology of the respondent B.R. Ambedkar Bihar University, Muzaffarpur, has filed the present writ petition under Article 226 of the Constitution of India for grant of the reliefs as enumerated in paragraph 1 of the writ petition.

3. The learned counsel appearing on behalf of the petitioner submits that for redressal of his valid grievance, the petitioner filed several representations before the authorities of the respondent University including the Vice Chancellor, but till date, neither his valid grievances have been redressed nor his representations have been disposed of.

4. Though, the present writ petition was filed way back on 05.08.2014, after service of its copy upon the learned counsel appearing on behalf of the respondents, but till date, no

counter affidavit has been filed on their behalf.

5. In view of nature of grievances raised on behalf of the petitioner in the present writ petition and in view of the fact that no counter affidavit has been filed on behalf of the respondents till date, this Court is of the opinion that in stead of keeping the matter pending before this Court, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent Vice Chancellor of the University with all supporting documents raising all the pleas which have been raised in the present writ petition. It is ordered accordingly.

6. If such a fresh comprehensive representation is filed on behalf of the petitioner within a period of one month from today with a certified copy of the present order, then the respondent Vice Chancellor of B.R Ambedkar University, Muzaffarpur, either himself or any other competent authority of the respondent University, as per his direction, shall be obliged to consider and decide the claims of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the writ petitioner, at an early date preferably within a period of two months from the date of filing of such comprehensive representation by the petitioner.

7. If on consideration of the materials and after hearing the parties, the competent authority of the respondent University comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then consequential orders for grant of such admissible claims shall also be issued and lawful dues of the petitioner shall be paid without any unnecessary further delay.

8. It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner and this is left to be decided by the competent authority strictly in accordance with law.

9. The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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