

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16562 of 2014

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Baidya Nath Tiwari, son of Late Jugal Tiwari, resident of Road No.1, Shivpuri, (Near Carbon Factory), P.O. and P.S. Shastri Nagar, Shivpuri, Patna - 23, District - Patna

.... Petitioner/s

Versus

1. The Vice - Chancellor, Magadh University, Bodh - Gaya, District - Gaya
2. The Finance Officer, Magadh University, Bodh - Gaya, District - Gaya
3. The Principal, Anugrah Narain College, Boring Road, Patna.
4. The Registrar, Magadh University, Bodh-Gaya, District-Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pandit Jee Pandey, Adv.
Mr. Radha Raman, Adv.

For the Respondent/s : Mr. Bhaskar Shankar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-05-2016 Learned counsel for the petitioner is permitted to implead the Registrar, Magadh University, Bodh-Gaya as party respondent no.4 in the present writ petition during the course of the day.

Heard the parties.

The petitioner, who claims to have superannuated from service from the post of Reader in Physics from A.N.College, Patna on 31.01.2001, has filed the present writ petition for the reliefs enumerated in paragraph 1 of the writ petition.

This writ petition was filed way back on 19.09.2014, but till date no counter affidavit has been filed on behalf of the respondents.

In view of the nature of the grievances raised on behalf of the petitioner in the present writ petition and in view of the fact that no counter has been filed on behalf of the respondents

till date, this Court is of the opinion that, instead of keeping the matter pending before this Court, the interest of justice shall be sub-served, if the petitioner is granted liberty to file a comprehensive representation before the newly added respondent Registrar of Magadh University with all supporting documents/government circulars and orders and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the petitioner with a certified copy of the present order within a period of one month from today, then the respondent Registrar of Magadh University, Bodh-Gaya shall be obliged to consider and decide the claims raised on behalf 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 representation by the petitioner.

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

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

Arvind/-

(Birendra Prasad Verma, J)

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