

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22210 of 2014

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Smt. Pratima Mishra, Wife of Late Naresh Mishra, Resident of Mohalla-
Rai Bahadur Raj Road near Shivam Apart., P.S.- Barari, District- Bhagalpur
.... Petitioner/s

Versus

1. The Vice Chancellor Tilka Manjhi Bhagalpur University
2. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
3. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur
4. The Govt. Auditor - Cum - Financial Advisor, Tilka Manjhi Bhagalpur
University, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Radha Raman Verma, Adv.

For the Respondent/s : Mr. Azhhar Mustafa, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 13-05-2016

Heard the parties.

The petitioner claiming to be the widow of late Naresh Mishra, who is said to have superannuated from service on 31.01.2000 from the post of University Professor of Tilka Manjhi Bhagalpur University, Bhagalpur, has filed the present writ petition for grant of the reliefs, as enumerated in paragraph 1 of the writ petition.

This writ petition was filed way back on 23.12.2014 after service of its copy upon the learned counsel for the respondents, 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 fresh comprehensive representation before the respondent Registrar of

the University (respondent no.2) with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a fresh 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 Tilka Manjhi Bhagalpur University, Bhagalpur 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 respondent Registrar of Tilka Manjhi Bhagalpur University, Bhagalpur comes to a conclusion that the claims raised on behalf of the petitioner are admissible to her, 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.

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

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

Arvind/-

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(Birendra Prasad Verma, J)