

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13954 of 2014

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Jag Mohan Giri, Son of Late Ganga Giri, Resident of Village- Milki, P.S.-
Sikarahta Kallan, District- Bhojpur, At present Residing at 6MF- 6/195,
Bahadurpur Housing Colony, P.S.- Bahadurpur, District- Patna

.... Petitioner/s

Versus

1. The Vice Chancellor, Magadh University, Bodh Gaya
2. The Registrar, Magadh University, Bodh Gaya
3. The Finance Officer, Magadh University, Gaya
4. The Auditor, Magadh University, Bodh Gaya
5. The Principal, College of Commerce, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Adv.

For the Respondent/s : Mr. S.S. Sundaram, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 09-05-2016

Heard the parties.

The petitioner, who claims to have superannuated from service on 30.11.2012 from the post of Lab In-charge from the College of Commerce, Patna, has filed the present writ petition for the reliefs enumerated in paragraph 1 of the writ petition.

Learned counsel appearing on behalf of the petitioner has fairly submitted that during the pendency of the present writ petition some of the grievances have been redressed by the respondent University, but some other post-retiral dues are yet to be paid by the respondents.

On the other hand, the learned counsel appearing on behalf of the respondents submits that, as per his instructions, all the grievances raised on behalf of the petitioner in the present writ petition have been redressed.

Be that as it may, 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 asking the respondents to file their counter affidavits, the interest of justice shall be sub-served, if the petitioner is granted liberty to file a comprehensive representation before the respondent Registrar of the University with respect to his surviving claims with all supporting documents. 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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