

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12483 of 2014

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Dr. Asrar Ahmad Son of Late Anwar Ahmad, Reader, Department of Chemistry, D.A.V. College, Siwan, Resident of M.M. Colony, P.O., P.S. and District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Vikash Bhawan, Patna.
3. Jai Prakash University, Chapra, through its Registrar, District - Chapra.
4. The Vice-Chancellor, Jai Prakash University, Chapra.
5. The Finance Officer, Jai Prakash University, Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shubh Narain Singh
For the Respondent No.1 & 2 : Mr. Sanjay Kumar Pandey, G.P.-14
For the Respondent No. 3 to 5 : Mr. Mrigendra Kumar
Mr. Manoj Kumar Ambastha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 05-05-2016 Heard the parties.

The petitioner, who claims to have superannuated from the post of Reader of the department of Chemistry of D.A.V. College, Siwan under Jai Prakash University, Chapra on 31.03.2009, has filed the present writ petition for the reliefs enumerated in paragraph-1 of the writ petition.

The learned counsel appearing on behalf of the petitioner submits that for redressal of his valid grievances, he filed representation before the authorities concerned, but till date neither his valid grievances have been redressed nor the representation filed by him has been disposed of.

This writ petition was filed way back on 22.07.2014, but till date no counter-affidavit has been filed on behalf of the

respondent no. 3 to 5 against whom the claims have been raised by the writ petitioner. However, a counter-affidavit has been filed on behalf of the respondent no. 1 and 2 stating therein that sufficient funds have been released in favour of the University for payment of lawful dues of the employees.

In view of the 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 respondent No. 3 to 5, this Court is of the opinion that instead of keeping the matter pending before this Court awaiting counter-affidavit from the respondent No. 3 to 5, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent Registrar of the University 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 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 Registrar of the University 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 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 the University comes to a conclusion that claims raised on behalf of the petitioner are admissible to him, then consequential order shall also be issued for

grant of such admissible claims and lawful dues of the petitioner shall be paid to him without any unnecessary further delay.

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

(Birendra Prasad Verma, J)

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