

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14934 of 2014

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Sheo Shankar Prasad Singh Son of Late Jageshwar Singh, resident of
Station Road, West from Laheri Dharamshala, P.S.- Begusarai, District-
Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Vice- Chancellor, Lalit Narayan Mithila University, Darbhanga
4. The Registrar, Lalit Narayan Mithila University, Darbhanga
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga
6. Principal Ganesh Dutta College, Begusarai, District- Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Respondent No.1 and 2 : Mr. Arun Kumar Prasad, AC to SC-7

For the Respondent No. 3 to 5 : Ms. Binita Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 06-05-2016

Heard the parties.

The petitioner, who claims to have superannuated from service on 30.06.2008 from the post of lecturer of G.D. College, Begusarai, has filed the present writ petition for the reliefs enumerated in paragraph-1.

This writ petition was filed way back on 29.08.2014, but till date counter-affidavit has not been filed on behalf of the contesting respondents namely respondent no. 3 to 5. However, a formal 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/ claims raised on behalf of the petitioner in the present writ petition and in view of the fact that counter-affidavit has not been filed on behalf of the main contesting respondent namely 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 those respondents, the interest of justice shall be sub-served if the petitioner is granted liberty to file a fresh comprehensive representation with all supporting documents and raising all the pleas which have been raised in the present writ petition before the respondent Registrar of Lalit Narayan University, Darbhanga. 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 for grant of such admissible claims shall also be issued 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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