

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.21169 of 2014**

=====

Professor Ram Naresh Prasad Sinha son of Late Shyam Chandra Prasad Sinha, resident of Satichaura, Danapur, P.O.- Digha, P.S.- Danbapur, Patna retired Professor, Department of Chemistry, B.S. College, Danapur

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, H.R.D., Patna
2. Magadh University, Bodh Gaya through its Registrar
3. The Vice Chancellor, Magadh University, Bodh Gaya
4. The Registrar, Magadh University, Bodh Gaya
5. The Finance Officer, Magadh University, Bodh Gaya .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Mahesh Narayan Parbat, Sr. Advocate  
Mr. Ved Prakash Srivastava, Advocate

For the Respondent No.1 : Mr. Javed Gaffar Khan, AC to SC 7

For the Respondent Nos.2 to 5: Ms. Seema Ghazala, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      13-05-2016

Heard the parties.

2. The petitioner, who claims to have superannuated from service on 31.10.1999 from the post of Reader of Magadh University, Bodh Gaya, has filed the present writ petition for grant of the reliefs as enumerated in paragraph 1 of the writ petition.

3. Though, the present writ petition was filed way back on 10.12.2014, after service of its copy upon the learned counsel appearing on behalf of the respondents, but till date, no counter affidavit has been filed on behalf of the main contesting respondent Nos. 2 to 5, though a formal counter affidavit on behalf of the respondent no.1 has been filed, which is available on the record.

4. 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 contesting respondents till date, this Court is of the opinion that in stead of keeping the matter pending before this Court, 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 Magadh University (respondent no.4) with all supporting documents and raising all the pleas which have been raised in the present writ petition. It is ordered accordingly.

5. If such a fresh 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 Registrar of the Magadh University, either himself or any other competent authority of the respondent University, as per his direction, 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 writ petitioner, at an early date preferably within a period of two months from the date of filing of such comprehensive representation by the petitioner.

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

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

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

**(Birendra Prasad Verma, J)**

Tahir/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|