

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9864 of 2013

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Upendra Kumar Son of Late Ramdhyan Singh, resident of village - Bagahi,
P.O., P.S.- Kinzer, District- Jehanabad, at present posted as Lecturer In
Philosophy, S.S. College, Jehanabad. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Human
Resource Development, Government of Bihar, Patna
2. The Director, Higher Education, Government of Bihar, Patna
3. The Magadh University Bodh Gaya through its Vice-Chancellor
4. The Registrar, Magadh University Bodh Gaya
5. The Finance Officer, Magadh University Bodh Gaya
6. The Principal S.S. College, Jehanabad, District- Jehanabad
7. The Principal S.G.G.S. College, Patna City, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Dayal,
For the M.U. : Mr. Vipin Kumar
For the State : Mr. Sita Ram Yadav, GP-16

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 05-09-2016 Heard the parties.

The petitioner is the teaching staff of 4th phase constituent College, was working as Lecturer in S.G.G.S. College, Patna City, later on, he was transferred to S.S. College, Jehanabad in terms of decision of the University, vide order dated 19.4.2006.

It has been submitted that the budget would go to the original College and from there the allotment will go to the transferred College, from there the transferred employees will get the salary, which is apparently clear from paragraph 4 of order dated 14/8/2012, Annexure-5 to this petition, which is as follows:-

*“ That as the fund is provided separately by the
State Govt. as mentioned above. Hence, the salary*

of the petitioner is being sent to his transferred college after deducting it from the parental college by budget department. Thus, at present arrangement the petitioner is getting salary from the transferred college.”

In ground reality, the petitioner submits that he has to go to the S.G.G.S. College, Patna City and from there he is getting the salary.

Today an affidavit has been filed by the Magadh University and in paragraph 9 it has been stated that from financial year 2017-18, this allotment will go to the transferred college. It will be relevant to quote paragraph 9 of the counter affidavit filed by the Magadh University, which is as follows:-

“That now the University has taken decision to include the name of the petitioner where he is posted, for financial year 2017-18. Hence his grievance will be redressed.”

In view of the statement made in the affidavit, there is no need to pass any order, but this Court hopes and trusts that University should stand to its commitment.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

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