

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8471 of 2014

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1. Dayanand Nayak son of Late Mauzi Lal Nayak resident of Mohalla - Mahabir Chowk, Police Station - Kasba and District - Purnia

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Human Resource Development Department, , Government of Bihar, New Secretariat, Patna
3. The Vice - Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura
4. The Registrar, B.N. Mandal University, Laloo Nagar, Madhepura
5. The Finance Officer, B.N. Mandal University, Laloo Nagar, Madhepura
6. The Principal, M.L. Arya College, Akshay Nagar, Kasba, Purnia
7. The Vice - Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
8. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Respondent/s : Mr. AC to GA 8
Mr Ajay Behari Sinha
Mr Shashi Bhushan Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 12-05-2016

A cost of Rs.10,000/- is imposed upon the Vice Chancellor of the B. N. Mandal University as well as Rs.10,000/- upon the Registrar of the B. N. Mandal University. Both the amount will be personally payable by the Vice Chancellor and the Registrar to the petitioner as costs for harassing the petitioner for two reasons. One, that the petitioner has filed an application before the Registrar of the University way back on 1.12.2011, which was not acted upon and it was because of the failure on the part of the Registrar to take cognizance and decide the issue raised therein that the present writ

application came to be filed.

The second reason is that even after filing of the writ application on 5.5.2014, after due service of the writ application upon the University and the State, no counter affidavit of the University has been filed till date, therefore, the Court is not in a position to adjudicate the matter and decide the issue raised therein.

A counter affidavit on behalf of the State, however, has been filed, which is a routine kind of counter affidavit, putting the responsibility upon the University.

In view of the above, the writ application is disposed of with a direction upon the Vice Chancellor of B. N. Mandal University that he will take cognizance of Annexure- 3 annexed with the writ application and decide the issue within a period of eight weeks with regard to the claims raised therein. The costs will be paid to the petitioner within six weeks from the date of production of a copy of this order.

(Ajay Kumar Tripathi, J)

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AFR/NAFR	NAFR
CAV DATE	
Uploading Date	12.5.2016
Transmission Date	