

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12398 of 2014

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Most. Bimala Devi W/o Late Shanti Nath Jha 'Sudhanshu', Resident of Village Bhitthi Salempur, P.S. Pandaul, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Higher Education, Bihar, Patna.
2. The Secretary, Department of Higher Education, Bihar, Patna.
3. The Chancellor, Bhim Rao Ambedkar University, Muzaffarpur.
4. The Vice Chancellor, Bhim Rao Ambedkar University, Muzaffarpur.
5. The Registrar, Bhim Rao Ambedkar University, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Respondent No.1 & 2: Mr. Anil Kumar, AC to SC-10
Mr. Sanjay Kumar, AC to SC-10
For the Respondent No. 3 to 5: Mr. Vikash Ratan Bharti

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 05-05-2016 Heard the parties.

Though, this writ petition was filed way back on 21.07.2014, but counter-affidavit has not been filed on behalf of the respondent no.3 to 5 against whom the main grievance has been raised on behalf of the petitioner in the present writ petition. However, the respondent no. 1 and 2 have filed their counter-affidavit stating therein that sufficient funds have been released to the respondent University, which is required to be paid as lawful dues of the petitioner, besides others.

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 the counter-affidavit has not 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 on behalf of the aforesaid respondents, the interest of

justice shall be sub-served if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent Registrar of the University i.e. the respondent no. 5 with all supporting documents 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 her, then consequential order for grant of such admissible claims shall be issued and lawful dues of the petitioner shall also be paid to her 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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