

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18270 of 2014**

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Surendra Nath Pandey son of Late Ram Subhag Pandey, Retire and Head of Department of Political Science, D.A.V. College, Siwan, resident of village 7 Mohalla - Panch Mandira, Post Office, Police Station and District - Siwan  
..... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Vikash Bhawan, Patna
3. Jai Prakash University, Chapra, through its Registrar, District - Chapra
4. The Vice Chancellor, Jai Prakash University, Chapra
5. The Finance Officer, Jai Prakash University, Chapra
6. Baba Saheb Bheem Rao Ambedkar, Bihar University, through its Registrar, Muzaffarpur, District - Muzaffarpur
7. The Vice-Chancellor, Baba Saheb Bheem Rao Ambedkar, Bihar University, Muzaffarpur, District - Muzaffarpur
8. The Registrar, Baba Saheb Bhim Rao Ambedkar, Bihar University, Muzaffarpur, District Muzaffarpur

..... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shubh Narain Singh, Advocate

For the Respondent Nos. 1 & 2: Mr. Anis Akhtar, AC to GA 1

For the Respondent Nos. 3 to 5: Mr. Mrigendra Kumar, Advocate

For the Respondent Nos. 6 to 8: Mr. Mrigank Mauli, Advocate

Mr. Rakesh Kumar Singh, Advocate

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

2      11-05-2016

Heard the parties.

2. The petitioner, who claims to have superannuated from service on 31.12.2009 from the post of Reader of D.A.V.College, Siwan, now a constituent unit of respondent Jai Prakash University, Chapra, though earlier it was a constituent unit of respondent B.R.A.Bihar University, Muzaffarpur, has filed the present writ petition for grant of reliefs as enumerated in paragraph 1 of the writ petition.

3. The learned counsel appearing on behalf of the petitioner submits that some of the lawful dues of the petitioner for

the earlier period are required to be paid by the respondent nos. 6 to 8 and some other lawful dues are required to be paid by the respondent nos. 3 to 5 for the subsequent period, but despite representations filed by him, his valid grievances have not been redressed by both the Universities.

4. Though, the present writ petition was filed way back on 21.10.2014, 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 contesting respondent nos. 3 to 8. However, a counter affidavit has been filed on behalf of the respondent nos. 1 and 2 disclosing therein that sufficient funds have been released by the State Government in favour of both the Universities for payment of lawful dues of their employees.

5. In view of 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 separate representations before the Registrar of J.P.University, Chapra as also before the Registrar, BRA Bihar University, Muzaffarpur with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

6. If such separate representations are filed on behalf of the petitioner before the aforesaid Registrars of two Universities with a certified copy of the present order within a period of one month from today, then the Registrars of both the

Universities 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 representations by the petitioner.

7. If on consideration of the materials and after hearing the parties, the Registrars of both the Universities come 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.

8. 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 Registrars of both the Universities strictly in accordance with law.

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

**(Birendra Prasad Verma, J)**

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