

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19493 of 2014

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Arindam Kumar Son of Late Indra Deo Prasad Gupta, resident of Katihar,
Opposite - Islamiya High School, Colony No. 2, Police Station - Katihar,
District - Katihar.

.... Petitioner/s

Versus

1. The Vice Chancellor B.N. Mandal University , Lalu Nagar, Madhepura.
2. The Registrar, B.N. Mandal University, Lalu Nagar Madhepura. null null
3. The Finance Officer, B.N. Mandal University, Lalu Nagar Madhepura.
4. The Principal, D.S. College, Katihar, Police Station Katihar, District-
Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan

For the Respondent/s : Mr. Santosh Kr. Mishra

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-05-2016 Heard the parties.

The petitioner, claiming to be the son of late Indradeo Prasad Gupta, who is said to have retired from the post of Professor of Hindi on 31.01.1989 from D.S. College, Katihar, a constituent College of B.N. Mandal University, Lalu Nagar, Madhepura, has filed the present writ petition for the reliefs as enumerated in paragraph-1 of the writ petition.

This writ petition was filed on 17.11.2014, 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 respondents.

In view of the nature of grievances/ claims 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 respondents till date, this Court is of the opinion that instead of keeping the matter pending before this Court, 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 B.N. Mandal University, Madhepura (respondent no.2) with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a fresh comprehensive representation is filed on behalf of the petitioner with a certified copy of the present order within a period of one month from today, then the respondent Registrar of the B.N. Mandal 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 raised on behalf of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the writ petitioner, besides others, if any, 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 competent authority of the University comes to a conclusion that claims raised on behalf of the petitioner are admissible to him, then consequential order for grant of such admissible claims shall also be issued and lawful dues of the petitioner shall be paid to him without any unnecessary further delay.

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.

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

(Birendra Prasad Verma, J)

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