

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12987 of 2014

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Sushila Jha, wife of Ganesh Prasad Jha, resident of Mohalla- Gangjala,
Panchwati Chowk, Ramayan Bhawan, P.S. & District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar at Patna
2. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna
3. The Principal Secretary, Human Resources AND Development
Department (Higher Education), Govt. of Bihar, Patna
4. The B.N. Mandal University, through its Registrar, Madhepura
5. The Vice Chancellor, B.N. Mandal University, Madhepura
6. The Registrar, B.N. Mandal University, Madhepura
7. The Principal, Ramesh Jha Mahila College, Saharsa
8. The Chancellor of the Universities, Bihar Raj Bhawan, Patna
9. The Secretary, Governor Secretariat, Bihar Raj Bhawan, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prem Kumar Jha, Adv. Mr. Rajesh Kumar Jha, Adv.
For the Respondent nos.1to3	:	Mr. Harish Kumar, GP-32
For the Respondent nos.4to7	:	Mr. Raju Giri, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 06-05-2016

Heard the parties.

The petitioner, who claims to have superannuated from service on 01.08.2009 from the post of Reader (now re-designated as Associate Professor) from Ramesh Jha Mahila College, Saharsa under the respondent B.N.Mandal University, Madhpura, has filed the present writ petition for grant of the reliefs as enumerated in paragraph 1 of the writ petition.

This writ petition was filed way back on 28.07.2014, but till date no counter affidavit has been filed on behalf of the respondent nos.4 to 7, against whom the main grievances have been raised, though a counter affidavit has been filed on behalf of the respondent no.3 stating therein that the sufficient funds have

been released in favour of the respondent University.

In view of the nature of the 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 contesting respondent nos.4 to 7 till date, this Court is of the opinion that, instead of keeping the matter pending before this Court awaiting the counter affidavit from the 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 B.N.Mandal University, Madhepura 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 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, Madhepura 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, 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 Registrar of the B.N.Mandal University, Madhepura comes to a conclusion that the claims raised on behalf of the petitioner are admissible to her, then the consequential orders shall also be issued for grant of such admissible claims and lawful dues of the petitioner shall be paid without any unnecessary

further delay.

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

(Birendra Prasad Verma, J)

Arvind/-

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