

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11664 of 2014

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Nand Lal Prasad son of Late Kishun Sao, resident of Village: Gola Road,
P.S. Nawadah, District: Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Education Department,
Government of Bihar, Patna
2. Magadh University, Bodh Gaya, through its Registrar, Bodh Gaya
3. The Registrar, Magadh University, Bodh Gaya
4. The Finance Officer, Magadh University, Bodh Gaya
5. The Principal, K.L.S. College, Nawada

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Respondent No.1 : Mr. Ashok Kumar Verma, AC to SC-17

For the Respondent No. 2 to 4: Mr. Vipin Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 05-05-2016

Heard the parties.

The sole petitioner, who claims to have retired from the post of Reader of K.L.S. College, Nawada under Magadh University on 31.07.2009, has filed the present writ petition for the reliefs enumerated in paragraph-1 of the writ petition.

The learned counsel appearing on behalf of the petitioner submits that despite representation filed by the petitioner, his lawful retiral dues, as indicated in paragraph-1 of the writ petition, has not been paid till date.

This writ petition was filed way back on 11.07.2014. Though, a counter-affidavit has been filed on behalf of the respondent no.1, but no counter-affidavit has been filed on behalf of the respondent Magadh University and its functionaries.

In view of the nature of grievances raised on behalf of the petitioner in the present writ petition, this Court is of the opinion that instead of keeping the matter pending before this

Court awaiting counter-affidavit from the respondent University, the interest of justice shall be sub-served if the petitioner is granted liberty to file a comprehensive representation before the respondent Registrar of the University 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 Registrar 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 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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