

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13850 of 2014

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Braj Raj Chandra Chaudhary, S/O Late Murlidhar Chaudhary, resident of
Mohalla Barheta Road, P.O. Laheriasarai, P.S. Laheriasarai, District
Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Higher Education,
Government of Bihar, New Secretariat, Patna
2. The Rajendra Agriculture University through the Registrar, Pusa,
Samastipur
3. The Vice Chancellor, Rajendra Agriculture University, Pusa, Samastipur
4. The Registrar, Rajendra Agriculture University, Pusa, Samastipur
5. The Comptroller, Rajendra Agriculture University, Pusa, Samastipur
6. The Director Administration, Rajendra Agriculture University, Pusa,
Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Kumar, Adv.
For the Respondent nos.2to6 : Mr. Chandra Mohan Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 09-05-2016

Heard the parties.

The petitioner, who claims to have superannuated from service on 31.01.2011 from the post of Director Research of Rajendra Agriculture University, Pusa, has filed the present writ petition for the reliefs enumerated in paragraph 1 of the writ petition.

Learned counsel appearing on behalf of the petitioner submits that during the pendency of the present writ petition, though other retiral dues have been paid to the petitioner, but statutory interest is yet to be paid.

This writ petition was filed way back on 11.08.2014, but till date no counter affidavit has been filed on behalf of the respondents.

In view of the nature of surviving claims of the petitioner and in view of the fact that no counter 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 comprehensive representation before the respondent no.5, the Comptroller of the University, with respect to his surviving claims with all supporting documents as also Government orders and circulars showing entitlement of such surviving claims. 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 no.5, the Comptroller of the University, shall be obliged to consider and decide the surviving 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 representation by the petitioner.

If on consideration of the materials and after hearing the parties, the respondent no.5, the Comptroller of the University, comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, 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.

Arvind/-

(Birendra Prasad Verma, J)

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