

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11427 of 2014

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Dr. Lambodar Thakur, S/o Bachchi Lal Thakur, R/o M.I.G.- 39, Sector- I,
Housing Board Colony Barari, P.S.- Barari, Town AND District- Bhagalpur
..... Petitioner/s

Versus

1. The T.M. Bhagalpur University, Bhagalpur through its Registrar
2. The Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur
3. The Registrar, T.M. Bhagalpur University, Bhagalpur
4. The Finance Officer, T.M. Bhagalpur University, Bhagalpur
5. The State of Bihar, through the Principal Secretary, Education
Department, Government of Bihar, New Secretariat, Patna
6. The Director, Department of Higher Education, Govt. of Bihar, Patna
7. State Govt. Auditor, deployed at T.M. Bhagalpur University, Bhagalpur
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Advocate

For the Respondent Nos. 1 to 4 : Mr. Amarendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 05-05-2016

Heard the parties.

2. The petitioner, who claims to have retired from the post of University Professor of the respondent University on 30.11.1996, has filed the present writ petition for the reliefs enumerated in paragraph 1 of the writ petition.

3. Though, the present writ petition was filed way back on 08.07. 2014, after service of its copy upon the learned counsel appearing on behalf of the University, but till date, no counter affidavit has been filed on behalf of the respondent University.

4. In view of nature of grievances raised on behalf of the petitioner and in view of the fact that, despite passage of almost two years, counter affidavit has not been filed on behalf of the University, this Court is of the opinion that in stead of keeping the matter pending, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh comprehensive

representation with all supporting documents raising all the pleas which have been raised in the present writ petition before the Vice Chancellor (respondent no.2) of the University. It is ordered accordingly.

5. If such a fresh 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 Vice Chancellor, either himself or any other competent authority of the respondent University, as per his direction, 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 comprehensive representation by the petitioner.

6. If on consideration of the materials and after hearing the parties, the competent authority of the respondent University comes 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.

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

(Birendra Prasad Verma, J)

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