

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13948 of 2014

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Dr. Akhilesh Prasad Mishra son of Late Shyama Charan Mishra, Resident of House No. 1226/3 Kailashpuri Colony, Ghurah Patti, Mirzapur, Police Station- Mirzapur, District- Mirzapur, U.P., Pin- 231001

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.... Petitioner/s

Versus

1. Rajendra Agricultural University, Bihar, Pusa, Samastipur, through its Registrar having office at Pusa, Samastipur
2. The Vice-Chancellor, Rajendra Agricultural University, Bihar, Pusa, Samastipur
3. The Comptroller, Rajendra Agricultural University, Bihar, Pusa, Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Arun

For the Respondent/s : Mr. Chandra Mohan Singh

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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 retired from service on 31.12.2009 from the post of Professor –cum-Chief Scientist and Dean of Agricultural Engineering of respondent Rajendra Agricultural University, has filed the present writ petition for the reliefs enumerated in paragraph-1 of the writ petition.

This writ petition was filed way back on 12.08.2014, but till date no counter-affidavit has been filed on behalf of the respondents.

In view of the nature of grievances 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 awaiting counter-affidavit from the respondents, the interest of justice shall be subserved if the petitioner is granted liberty to file a fresh

comprehensive representation before the respondent no.3 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 within a period of one month from today with a certified copy of the present order, then the respondent no.3 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 respondent no.3 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.

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

(Birendra Prasad Verma, J)

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