

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5317 of 2017

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Abhishek Kumar, S/o Late Vijay Sharma, resident of House No. 78, Behind
Deo Kothi More, A. P. Colony, P.s.- Rampur, Distt.- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education
Department, Government of Bihar, New Secretariat, Patna.
2. The Vice-Chancellor, Magadh University, Bodh Gaya.
3. The Registrar, Magadh University, Bodh Gaya.
4. The Finance Officer, Magadh University, Bodh Gaya.
5. The Principal, Jagjiwan College, Gaya.
6. The Principal, S. N. Sinha College, Tekari, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Kriti Singh, Advocate

For the Respondent/s : Mr. Narendra Kumar, AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner and the
respondents.

The present writ application has been filed on behalf
of the petitioner for a direction to the respondents to make
payment of salary.

According to the petitioner, he was appointed on
compassionate ground on 02.09.2011 in Jagjiwan College, Gaya
as a Routine Clerk and thereafter he was shifted to S. N. Sinha
College, Tekari on 10.09.2013.

Counsel appearing on behalf of the petitioner submits
that the petitioner was appointed on compassionate ground to tide
over the financial crisis of the family of the bread earner, who died



in harness. Unfortunately, the respondents are acting contrary to the objectives of compassionate appointment and for the last more than six years the petitioner has not been paid salary despite regularly discharging the responsibilities assigned to the petitioner.

In the aforesaid circumstances, the writ application is disposed of with a direction to the Registrar, Magadh University, Bodh Gaya to look into the grievance of the petitioner and ensure payment of salary, if the petitioner was appointed on compassionate ground in the year 2011 and regularly discharging his duties in compliance of the direction of the University. The decision with regard to payment of salary, arrears and current, must be taken by the respondent no.3 (Registrar, Magadh University) within a maximum period of three months from the date of receipt/production of a copy of this order. In the event, if the petitioner is found entitled to payment of arrears and current salary, the monetary benefit must reach the petitioner within the aforesaid period, failing which the arrears will carry interest at the rate of 9% per annum, which shall be paid by the University and the Registrar of the University should be at liberty to realize the same from the pocket of erring official, who is responsible for delay in payment of the arrears to the petitioner.



With the aforesaid observations and directions, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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