

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.218 of 2016

Arising out of

Civil Writ Jurisdiction Case No. 20289 of 2012

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Dr. Ram Darshan Pandey Son of Late Ram Charit Pandey Resident of Mohalla -
Bhabha Nagar, N.H. 28 Chouk Bhagawanpur, P.S. Sadar, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through Sri Satosh Gangwar, the Principal Secretary, Higher Education Government of Bihar, Patna
2. The BRA Bihar University through its Sri Ratneshwar Mishra, Registrar, having office at Muzaffarpur
3. Sri Dr. Pandit Lande, the Vice Chancellor, BRA Bihar University, Muzaffarpur
4. Sri B.K. Singh, the Director, Higher Education, Government of Bihar, Patna

.... Opp. Party/s

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Appearance :

For the Petitioner/s :

For the Opp. Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 29-03-2017

Heard learned counsel for the parties.

2. Pursuant to order dated 01.03.2017, the Vice Chancellor and the Registrar of B.R.A. Bihar University are present and have filed their show cause.

3. At the very outset, learned counsel for the University submitted that the Vice Chancellor has recently joined on 27th February, 2017 and the Registrar on 17th February, 2017. However, on



merits, it has been submitted that payments of arrears of salary and pension were made in December, 2015 and only the remaining 5% interest which was unpaid has been paid on 28.03.2017 taking into account the entire period till the date of payment.

4. Learned counsel for the petitioner submitted that there is some dispute with regard to the scale, inasmuch as, he is entitled to scale of the 5th Pay Revision which has not been paid.

5. Be that as it may, since the order of the Court which is alleged to have been violated dated 04.09.2015 passed in C.W.J.C. No. 20289 of 2012 had not directed for payment to be made in any particular scale, the same cannot be gone into for the purposes of the present litigation.

6. In view thereof, the application stands disposed off. However, the petitioner shall be at liberty to move before the appropriate authorities if, according to him, anything further remains to be paid.

7. Mr. P.N. Shahi, learned senior counsel, appearing for the University has brought to the notice of the Court the reasoned order of the Vice Chancellor contained in Memo No. 0035 dated 28.03.2017 on the representation filed by the petitioner in terms of the order dated 04.09.2015 relating to benefit of increment for holding Ph.D. degree. Let the same be kept on record.



8. The petitioner shall further be at liberty to move before the appropriate forum, in accordance with law, in connection with the aforesaid reasoned order dated 28.03.2017.

9. Personal appearance of the Vice Chancellor and the Registrar of the B.R.A. Bihar University stand dispensed with.

(Ahsanuddin Amanullah, J)

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