

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18900 of 2016

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Hasib Ahmad Mallick Son of late Abdul Fatha Resident of Village/Mohala-Kahta, P.O. - Nahu, P.S.- Chhabilapur, District- Nalanda. at Present Posted as Accountant in Nalanda Mahila College , Bihar Sharif, P.O. - Bihar Sharif, P.S.- Laheri, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. Magadh University through its Registrar, Bogh Gaya, District- Gaya.
3. Vice Chancellor, Magadh University, Bodh Gaya, District- Gaya.
4. Registrar, Magadh University Bodh Gaya, District Gaya.
5. Finance Officer, Magadh University, Bodh Gaya, District Gaya.
6. Principal, Nalanda Mahila College at Bihar Sharif, Nalanda a Constituent College of Magadh University.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Advocate
Mr. Ram Bishun Prasad, Advocate

For the University : Mr. Shivendra Kumar, Sr. Advocate
Mr. Priyank Deepak, Advocate

For the Respondent/s : Mr. Madhaw Prasad Yadav, GP-23
Mr. Rajesh Kumar Sinha, A.C. to GP-23

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 07-09-2017 Heard learned counsel for the petitioner, State and Magadh University.

The petitioner has moved the Court for the following reliefs:-

“(a)The respondents be commanded / directed to pay full salary of the petitioner from 27.10.1994 till 06.06.2005 minus the subsistence allowance already paid to the petitioner with 18% interest per annum thereon since the date of



accrual of the dues till the date of actual payment as may be fixed by this Hon'ble Court.

(b)The respondents be commanded/directed to allow continuity of service and treat the petitioner on duty during the period of his suspension namely 27.10.1994 to 06.06.2005 where the petitioner had been performing duty in the same college during alleged suspension.

(c)The respondents be commanded/directed to grant promotions either time bound or A.C.P. as is allowed to other employees of the college/university and the arrears with 12% interest per annum thereon be paid to the petitioner within the time as fixed by this Hon'ble Court.

(d) The petitioner be allowed the benefits of sixth pay revision.

(e) The order of suspension dated 27.10.1994 be declared illegal and be quashed.

(f) By an ad-interim the relief's as prayed for above be allowed to the petitioner during the pendency of this writ application.

(g) Any other relief or relief's for which the petitioner be found entitled to be



granted to him.”

After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the application with liberty to pursue his remedy before the appropriate forum, in accordance with law.

Learned counsel for the respondents do not object.

In view thereof, the writ petition stands disposed off as withdrawn with liberty aforesaid.

(Ahsanuddin Amanullah, J)

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