

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3928 of 2011

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Chandra Kishore Singh S/O Late Satya Narain Singh R/O Village-
Lakshmipur, P.O.- Barhaura, District- Munger

... .. Petitioner/s

Versus

1. The T.M.Bhagalpur University, Bhagalpur, Through Its Registrar
2. The Vice-Chancellor, T.M.Bhagalpur University, Bhagalpur
3. The Pro Vice-Chancellor, T.M.Bhagalpur University, Bhagalpur
4. The Financial Advisor, T.M.Bhagalpur University, Bhagalpur
5. The Financial Officer, T.M.Bhagalpur University, Bhagalpur
6. The Principal H.S. College, Haveli Kharagpur, District- Munger
7. The State Of Bihar, Through The Principal Secretary, Human Resources
Development Department, Government Of Bihar, New Secretariat, Patna
8. The Director, Department Of Higher Education, Government Of Bihar, New
Secretariat, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Advocate
For the University	:	Mr. Shailendra Kr. Singh, Advocate
For the State	:	Mr. P.N. Sharma, AC to AG
For Respondent No.6	:	Mr. Amresh Kr. Singh, Advocate
		Mr. Kumar Kamal Nayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

18 03-11-2017 Heard the parties.

In the present writ application, the following reliefs have
been sought for on behalf of the petitioner :

(I) For issuance of an order, direction or a writ
in the nature of mandamus commanding the
Respondent University authorities concerned to treat
the petitioner as validly promoted Typist-cum-
Assistant in the College in question and consequent
upon such declaration the respondents concerned
may be suitably directed to grant all its consequential
benefits to the petitioner including the payment of



petitioner's arrears of salary claim from 15.05.1985 to till date on the promoted Class – III post of Typist-cum-Assistant, that too, along with penal interest thereupon at least @ 12% per annum.

(II) Issuance of an order, direction or an appropriate declaration that the action of the Respondent University authorities concerned in not approving the promotion of the petitioner on the post of Typist-cum-Assistant of the College/University in question and their subsequent action in not making the payment of petitioner's salary on the said promoted post is illegal, arbitrary, malafide, malicious, discriminatory and unsustainable in the eye of law and on facts both tantamounting to the violation of Articles 14, 16, 21 and 23 of the Constitution of India.

(III) Issuance of an order, direction or a writ in the nature of mandamus commanding the respondents concerned to ensure the payment of petitioner's current salary on month to month basis on the promoted post of Typist-cum-Assistant in the College in question/the Respondent University.

(IV) Issuance of an order, direction or a writ in the nature of mandamus commanding the respondents concerned to make the payment of at least a sum of Rs. 10 lacs by way of compensation for causing unnecessary harassment to the petitioner.

(V) A Suo-Moto contempt of court proceeding against the authorities concerned of the Respondent University, who are instrumental in



defying/disobeying the order of this Hon'ble Court as contained in Annexure-7 to this writ petition may be initiated, and they may be punished suitably.

It has further been submitted on behalf of the petitioner that the case of the petitioner is covered by the order dated 25.07.2011 passed in L.P.A. No.901 of 2008.

Considering the submissions made above, the present writ application stands disposed of in terms of the order dated 25.07.2011 passed in L.P.A. No.901 of 2008.

The petitioner shall be entitled for all the benefits after considering the order dated 25.07.2011 passed in L.P.A. No.901 of 2008 as per the Clause 4.C (1) of the State Litigation Policy of the State of Bihar, if his case is found identical to the issue, decided in L.P.A. No.901 of 2008.

(Sudhir Singh, J)

Narendra/-

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