

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7501 of 2017

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1. Shri Harinarayan Prasad S/o Late Sukhdeo Mahto resident of village - Paurari, P.O. - Satnag, District - Nalanda.
 2. Shri Ramchandra Prasad S/o Late Balram Prasad resident of village - Malawan, P.O. - Jogipur, District - Nalanda.
 3. Shri Nand Kishore Prasad S/o Shri Sohrai Prasad Singh Resident of village - Sipara, P.O. - Kawa, District - Nalanda.
 4. Shri Kishori Prasad S/o Late Bhagirath Mahto Resident of village - Chandasi, P.O. - Noorsarai, District - Nalanda.
 5. Shri Sacchidanand Prasad Sinha S/o Shri Ram Lakhan Prasad Singh Resident of Village - Sonmani, P.O. - Sonmani, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Higher Education Department, Govt. of Bihar, 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 Sardar Patel Memorial College, Biharsharif (Nalanda).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Singh
For the Respondent/s : Mr. Prabhat Ranjan Singh AC to AAG-15
For the University : Mr. Priyank Deepak, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners, State and the counsel appearing on behalf of the Magadh University.

The grievance of the petitioners in the present writ application is non-payment of salary for the period September, 2010 to February, 2012.

Counsel appearing on behalf of the petitioners submits that for the rest period salary have been paid and after



superannuation pensionary benefit was also extended to such retired petitioners namely, petitioner nos. 1 and 2.

Learned counsel for the University submits that the matter with regard to arrears of salary for the period September, 2010 to February, 2012 is to be examined by the University and only on verification of the record, if the University finds the petitioners have worked, they are entitled to payment of salary, the University will pass appropriate order for payment of salary for the aforesaid period.

Considering the peculiar facts of the case, the writ petition is disposed of with liberty to the petitioners to approach respondent no.3, Registrar, Magadh University alongwith a copy of this order within a period of one month from today.

In case, the representation alongwith a copy of this order enclosing the relevant document is filed on which the petitioner has placed his claim for payment of salary, the respondent no.3 Registrar is required to consider the claim of the petitioner and pass appropriate order in accordance with law within a maximum period of three months from the date of receipt/production of the representation alongwith a copy of this order.

With the aforesaid, the writ application stands



disposed of.

(Anil Kumar Upadhyay, J)

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