

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9521 of 2017

Farhana Karim Wife of Md. Raghieb Azam, Resident of Mohalla- Shantipuri,
P.O.- Motihari, P.S.- Motihari Town, District- East Champaran (Motihari).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resource Development Department,
Government of Bihar, Patna.
3. The Director Higher Education, Human Resource Development Department,
Government of Bihar, Patna.
4. The Vice Chancellor, Bhim Rao Ambedkar Bihar University, Muzaffarpur,
Bihar.
5. The Principal Munshi Singh College, Motihari under the District of East
Champaran (Motihari).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
For the Respondent/s	:	Smt. Shilpa Singh-Ga12
For B.R.A. Bihar Uni.	:	Mr. Rakesh Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioner, State and the
counsel appearing on behalf of the University.

The grievance of the petitioner in the present writ application is non payment of honorarium for engaging class as teacher in college in question since March, 2011.

Learned counsel for the petitioner submits that the petitioner is regularly discharging the duty and engaging class but respondents have not paid remuneration to which the petitioner is entitled in terms of order dated 9.1.2012.

Since no counter affidavit has been filed on behalf of the respondents, the court is not in a position to decide the present writ petition on its own merit.



Having regard to the nature of dispute in the present writ petition, it would be appropriate, if the petitioner files representation before the Registrar enclosing the copy of this order within a period of one month from today for decision of the University, the Registrar of the University is required to examine the relevant record and also call for a report from the college in question whether the petitioner has worked as teacher and in case it is found that the petitioner has engaged classes and worked, the University will take appropriate decision with regard to claim of the petitioner for payment of remuneration for the period the petitioner has really worked. Factual inquiry in this regard is to be done by the University within a period of sixty days from the date of the receipt/production of a copy of this order.

It is made clear that this court has not expressed any opinion on the entitlement of the petitioner, it is up to the University to verify the relevant record and the order passed by the University with regard to entitlement of the petitioner.

With the aforesaid, the writ petition stands disposed of.

Ravi/-

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(Anil Kumar Upadhyay, J)

