

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2423 of 2017

=====

Zeenat Fatima, Daughter of Late Syeed Akhtar, Resident of village -
Manharan Lal, P.S. Darbhanga Town, District - Darbhanga

.... Petitioner/s

Versus

1. The Vice Chancellor of LNM University, Darbhanga
2. The Registrar, LNM University, Darbhanga
3. The Finance Officer, LNM University, Darbhanga
4. The Principal, C.M. College, Darbhanga

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat, Advocate
For the Respondent/s : Mr. Rashid Izhar, Advocate
For the University : Mr. Arun Kumar Prasad, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 15-02-2018 Heard learned counsel for the petitioner and
respondents.

Despite order dated 15.11.2017, the respondents have
not chosen to file counter affidavit.

The recalcitrant approach of the respondents in the
matter of filing of counter affidavit indicate that the respondents
have no respect for the orders passed by this Court. In normal
circumstance, this Court would have initiated contempt
proceeding against the respondents for not filing counter affidavit,
but in view of the fact that even without counter affidavit, the writ
application may be disposed of with liberty to the petitioner to file
representation before the respondent authorities, as the claim of



the petitioner cannot be decided without scrutiny of the relevant records, and the relevant records are lying with the respondent authorities.

Under the aforesaid circumstance, the writ application is disposed of with liberty to the petitioner to file exhaustive representation with regard to his claim for payment of salary for various periods indicated in the writ application. In case, the petitioner files representation before the respondent authorities within a period of one month from today along with a copy of this order, the respondent authorities of the University is required to examine the claim of the petitioner and on verification of the record of the University, if the respondents find substance in the claim of the petitioner, the respondent authorities shall pass appropriate order and ensure payment of due salary to the petitioner within a maximum period of three months from the date of filing of representation.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

U			
---	--	--	--

