

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4994 of 2018

=====

(Dr.) Lalita Kumari Mishra W/o Dr. Binay Kumar Choudhary Resident of
Mohalla- Professor Colony Lalbagh, P.S. L.N.M.U., District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
2. Principal Secretary Human Resources Development Government of Bihar, Patna.
3. Lalit Naraya Mithila University Kameshwar Nagar Darbhanga through its Registrar.
4. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Finance Officer, Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga.
7. Principal M.L.S.M. College, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5073 of 2018

=====

(Dr.) Rishikesh Kumar, son of Sri Vishnudhari Pathak, Associate Professor,
Zoology, M.L.S.M. College, Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary Government of Bihar Patna
2. Principal Secretary Human Resources Development Department Government of Bihar Patna
3. Lalit Narayan Mithila University Kameshwar Nagar Darbhanga through its Registrar
4. Vice Chancellor Lalit Narayan Mithila Univesity Kameshwar Darbhanga
5. Registrar Lalit Narayan Mithila University Kameshwar Nagar Darbhanga
6. Finance Officer Lalit Narayan Mithila University Kameshwar Nagar Darbhanga
7. Principal M.L.S.M. College Darbhanga

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5067 of 2018



Dr. Amar Kant Kumar, Son of Late Rameshwar Kumar, resident of Ward No. 10, New Professor Colony, Dighi Paschim, Lalbagh, P.S. Sadar, District-Darbhangha.

... .. Petitioner/s

Versus

1. State of Bihar through the Chief Secretary Government of Bihar Patna.
2. Principal Secretary Human Resources Development Department Government of Bihar Patna.
3. Lalit Narayan Mithila University Kameshwar Nagar Darbhanga through its Registrar.
4. Vice Chancellor Lalit Narayan Mithila University Kameshwar Nagar Darbhanga.
5. Registrar Lalit Narayan Mithila University Kameshwar Nagar Darbhanga.
6. Finance Officer Lalit Narayan Mithila University Kameshwar Nagar Darbhanga.
7. Principal M.L.S.M. College Darbhanga.

... .. Respondent/s

=====

with

Civil Writ Jurisdiction Case No. 5003 of 2018

=====

Dr. Bimal Kumar Choudhary, son of late Pratap Narayan Choudhary, Associate Professor, Psychology, M.L.S.M. College Darbhanga P.S. & District-Darbhangha

... .. Petitioner/s

Versus

1. State Of Bihar through the Chief Secretary Government of Bihar Patna
2. Principal Secretary Human Resources Development Department Government of Bihar Patna
3. Lalit Narayan Mithila University Kameshwar Nagar Darbhanga through its Registrar
4. Vice Chancellor Lalit Narayan Mithila University Kameshwar Nagar Darbhanga
5. Registrar Lalit Narayan Mithila University Kameshwar Nagar Darbhanga
6. Finance Officer Lalit Narayan Mithila University Kameshwar Nagar Darbhanga
7. Principal M.L.S.M. College Darbhanga

... .. Respondent/s

=====

Appearance :

(In Civil Writ Jurisdiction Case No. 4994 of 2018)

For the Petitioner/s : Mr. Binodanand Mishra, Advocate
For the State : Mr. Prabhat Ranjan Singh, AC to AAG-15
For the LNMU : Md. Nadim Seraj, Advocate

(In Civil Writ Jurisdiction Case No. 5073 of 2018)

For the Petitioner/s : Mr. Binodanand Mishra, Advocate



For the State : Smt.Binita Singh -SC-28
For LNMU : Mr. Arun Kumar Prasad, Advocate
(In Civil Writ Jurisdiction Case No. 5067 of 2018)
For the Petitioner/s : Mr. Binodanand Mishra, Advocate
For the State : Smt. Binita Singh-SC-28
For LNMU : Mr. Jawed Gaffar Khan, Advocate
(In Civil Writ Jurisdiction Case No. 5003 of 2018)
For the Petitioner/s : Mr. Binodanand Mishra, Advocate
For the State : Mr. Smt.Shilpa Singh -GA-12
For LNMU : Mr. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-04-2018 Heard the learned counsel for the petitioners and the learned counsel appearing for the State and the learned counsel for the University.

Learned counsel for the petitioners submits that the issue with regard to entitlement of the petitioners for payment of arrears is no more res-integra. In fact, a Co-ordinate Bench of this Court in C.W.J.C. No. 5331 of 2010 vide order, dated 12.10.2010, has already examined the entitlement of similarly circumstanced teachers of University and has issued direction for payment of arrears within a time frame of fifteen days and, as such, he submits that the present writ application is also covered by the principle laid down by the Co-ordinate Bench in C.W.J.C. No. 5331 of 2010. It is submitted that the present writ application may be disposed of with a direction to the Lalit Narayan Mithila University, Darbhanga, to take final decision with regard to the entitlement of the petitioner for payment of arrears in the light of the decision of the Co-ordinate Bench in



C.W.J.C. No. 5331 of 2010 vide order, dated 12.10.2010.

Without expressing any opinion on the claim of the petitioners as to the similarity with the case of the petitioner in C.W.J.C. No. 5331 of 2010 for deciding the entitlement of the petitioners for payment of arrears, the writ applications are disposed of with the direction to the respondents to examine the claim of the petitioners in the light of the decision of this in C.W.J.C. No. 5331 of 2010 as the principle decided by this Court is applicable to all the Universities of the State of Bihar and the respondents cannot take a different view for considering the entitlement of the teachers of the Universities.

In the event the respondents find the case of the petitioners similar to that of petitioner of C.W.J.C. No. 5331 of 2010, they are required to pass appropriate order extending the same benefit to this petitioner also.

With the aforesaid, all the four writ petitions are disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

U			
---	--	--	--

