

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13071 of 2017

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Dr. Sanjay Kumar Jha @ Sanjay Kumar Jha, S/o Amresh Chandra Jha, R/o Shiva Ganga Apartment, Flat No. 2A (2nd Floor), Near Babupur More, Sabour, District- Bhagalpur. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Bihar, Patna.
 2. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
 3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate
For the Respondent/s : Mr. Prabhat Ranjan Singh, AC to AAG-15
For the University : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and the respondents.

The grievance of the petitioner in the present writ application is for payment of difference of salary to which the petitioner is entitled to in terms of the promotion to the post of Reader w.e.f. 07.11.2005 and to the post of University Professor w.e.f. 07.11.2013.

Learned counsel for the petitioner submits that the petitioner's case was forwarded by the College to the University, but the University is sitting tight over the matter. Even the representation filed by the petitioner before the Registrar and the Finance Officer of the University has not invoked any response.

In the counter affidavit filed by the State stand has been taken in para. 7 that on 16.07.2015 Rs.152 Crores and odd



were released by the State for payment of arrears of salary, pension including the enhanced gratuity.

In view of the above, the University is required to examine the claim of the petitioner for payment of difference of salary on account of promotion on the post of Reader and University Professor and ensure payment of difference of salary within a period of three months from the date of receipt/production of a copy of this order.

In the event, the University feels financial constraints in making payment, the University shall raise a demand for allotment of additional fund so that payment of difference of arrears are paid to the petitioner.

In case, the respondent University indicates in the request for allotment of additional fund that the previous legitimate allotment was properly utilized, the State Government is expected to release further fund in order to meet the obligation of payment of difference of arrears of salary to this petitioner and other employees.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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