

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9095 of 2018

Dr. Akhilesh Kumar Son of late Ramphal Sinha Resident of C-3 Gopal Block
Dewki Dham Apartment, West Boring Canal Road, Near Panchmukhi Mandir,
Patna-1

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Department of Finance Government of Bihar, Patna.
3. The Vice-Chancellor, Magadh University, Bodh-Gaya.
4. The Registrar, Magadh University, Bodh Gaya.
5. The Finance Officer, Magadh University, Bodh Gaya.
6. The Principal, A.N. College, Boring Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumod Kumar Shrivastaw
For the Respondent/s : Mr. Anil Kr. Singh- Gp26

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-05-2018 Present writ application has been filed by the petitioner for a direction to the respondents to pay the arrears of salary in revised pay scale from January, 2006 to September, 2017.

Considering the fact that the issue of revised pay scale and arrears is no more required to be adjudicated in view of the fact that the respondents have decided to grant arrears subject to availability of funds, the respondent University has to ensure payment of arrears of difference of salary on account of pay revision from January, 2006 to September, 2017 within a period of 60 days from the date of receipt/production of a copy of this



order.

If the respondent University is facing financial constraints to make payment, the University should raise demand for allocation of additional fund from the State Government by enclosing a copy of utilization certificate of the fund released in the past. In case, such request is made by the University enclosing the utilization certificate the State Government may release additional fund so that the petitioner and alike are paid their arrears difference of salary. The University is hereby directed to calculate the entitlement of petitioner and pay the same, immediately on receipt of the fund from the State Government. In the peculiar facts and circumstances, the State Government is expected to release additional fund for payment of arrears of salary within a period of 60 days from the date of request made by the University.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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