

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5197 of 2017

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Ranjit Kumar Singh, aged 64 years S/o late Prayag Singh R/o Bhusuda tolla,
Bahora Digha, P.O. Bhadigi, P.S. Muffasil, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
 2. The Principal Secretary, Higher Education Department, Government of Bihar,
Patna.
 3. The Vice Chancellor, Magadh University, Bodh Gaya, District - Gaya.
 4. The Registrar, Magadh University, Bodh Gaya, District- Gaya.
 5. The Principal AM College, Gaya. Respondent/s
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Appearance :

For the Petitioner/s	:	Mr. Subroteswar Dey, Advocate
For the Respondent/s	:	Mr. Promod Kr. Singh-Sc16
For the University	:	Mr. Shivendra Kishore, Sr. Advocate
		Mr. Priyank Deepak, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 22-03-2018 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the University as well as the

State.

The present writ application has been filed by the
petitioner for a direction to the respondents to pay retiral dues,
treating the petitioner to be as Assistant and also for considering
his case for promotion on account of the fact that the petitioner
has rendered 34 years of service.

Mr. Shivendra Kishore learned Sr. counsel appearing
on behalf of the University submits that the petitioner should
first approach the University and only when the University
refuses to pay retiral dues and failed to redress his grievance, he
has remedy by way of filing writ petition.

Learned counsel for the petitioner in the aforesaid



facts and circumstances submits that the petitioner is prepared to file representation for consideration of his case. However, considering the fact that the petitioner has now superannuated , the respondent is required to consider his case expeditiously and take a decision in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to file fresh representation before the Vice-Chancellor of the University who shall examine the case of the petitioner in accordance with law and pass appropriate order on the entitlement of the petitioner treating him as Assistant and grant pensionary benefit accordingly. He may also consider his case for promotion if statute permits consideration and grant of such promotion.

Necessary decision in this regard should be taken by the respondents expeditiously preferably within a period of three months from the date of receipt/production of a copy of this order. In case, the petitioner is not satisfied by the Vice-Chancellor, he may seek further remedy before the appropriate forum/court.

(Anil Kumar Upadhyay, J)

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