

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20872 of 2014

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Deo Chand Shah son of Late Subedar Sah, a retired physical Training Instruction (P.T.I.), Bihar College of Engineering, Patna- 5, presently residing at Masaurhi (Main Road), at the side of Registry Office, P.S. Masaurhi, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Higher Education, Bihar, Patna
2. The Vice Chancellor, Patna University, Patna
3. The Registrar, Patna University, Patna
4. The Finance Officer, cum Public Information Officer, Patna University, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kanak Verma, Advocate.
For the Respondent/s	:	Mr. Sc4- Md. Raisul Haque
For the Patna University :		Mr. B.J. Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-10-2018 1. Heard learned counsel for the petitioner and
counsel appearing on behalf of the State.

2. Learned counsel for the petitioner submits that petitioner has approached this Court earlier in C.W.J.C. no. 10833 of 2007. The said writ petition was disposed of vide order dated 28.7.2010. The Court was noticing the representation dated 11.5.2007 pending at the level of the University. The writ petition was disposed of with the direction to the respondent University to dispose of the representation of the petitioner within a period of three months. Unfortunately the order of this Court dated 28.7.2010 has not been complied with.

3. Learned counsel for the petitioner submits that



representation is still pending gathering dust at the level of the University.

4. This writ petition was filed on 09.12.2014 with two advance copies to the University. Even, after expiry of four years the University has not filed any counter affidavit. On behalf of the State formality was completed by filing counter affidavit that the writ petition is basically filed against the University being the autonomous body competent to redress the grievance of the petitioner. Unfortunately even after filing of the counter affidavit by the State shifting back on the University but the University has not filed any counter affidavit.

5. Under the aforesaid circumstance the University is hereby directed to dispose of the representation of the petitioner and shall take appropriate decision on one or other way within a maximum period of 90 days from the date of receipt / production of a copy of this order. It is made clear that if there is any delay on the part of the University in deciding the representation and granting the consequential benefits on admitted claim of the petitioner, the entire admissible due will carry interest at the rate of 9 per cent per annum from the date of order of this Court dated 28.7.2010 till the actual payment and the same shall be borne out from the pocket of the officers of the



Patna University.

6. With the aforesaid the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

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