

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22897 of 2012

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Gopal Pandey S/O Late Ramyag Pandey R/O Vill-Nahauna, P.S.-
Sasaram(Mufassil), Distt-Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government Of Bihar, Patna
3. The Secretary, Higher Education , Government Of Bihar, Patna
4. The Director , Higher Education , Government Of Bihar, Patna
5. Veer Kunwar Singh University, Ara(Bhojpur) Through Its Vice Chancellor
6. The Registrar, Veer Kunwar Singh University, Ara Bhojpur
7. The College Inspector , Veer Kunwar Singh University, Ara
8. Ishwar Dayal Bhagwat Prasad Singh College Through Its Principal In Charge , Grah Nokha, P.O.&P.S.-Nokha, Distt-Rohtas
9. Managing Committee Through Its Secretary, Ishwar Dayal Bhagwat Prasad Singh College , Garh Nokha, P.S.-Nokha, Distt-Rohtas
10. The Sub-Divisional Officer, Sasaram Cum Chairman, Managing Committee, Ishwar Dayal Bhagwat Prasad Singh College, Garh Nokha, Distt-Rohtas
11. The Secretary, Ishwar Dayal Bhagwat Prasad Singh College, Garh Nokha, P.S.-Nokha, Distt-Rohtas
12. The Principal In-Charge, Ishwar Dayal Bhagwat Prasad Singh College, Garh Nokha, P.S.-Nokha, Distt-Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bajarangi Lal
For the Respondent/s	:	Mr. Anil Kr. Singh
For the University	:	Mr. Rajesh Prasad Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-08-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the respondents.

Considering the controversy involved in the present writ application which is precisely a dispute of payment of salary the court is of the view that the claim of the petitioner is essentially against the Managing Committee and in view of the judgment of the Apex Court in the case of **Sirsi Municipality**



AIR 1973 SC 855 and reiterated in **Vaishya Degree College**
AIR 1976 SC 888, no positive direction can be issued to in
favour of the petitioner. However, liberty shall be available to
the petitioner to approach the competent civil court for common
law remedy. In case, such case is filed by the petitioner, the civil
court will consider the desirability of condonation of delay in
view of the fact that the present writ application remain pending
for nearly six years.

With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

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