

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19647 of 2015

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Md. Rizwan S/o Md. Ramjan, Resident of Mohalla - Naya Quilla, Mali Tola,
P.S. - Siwan Town, District - Siwan.

... .. Petitioner/s

Versus

1. The J. P. University, Chapra through the Registrar of the University.
2. The Vice Chancellor, J.P. University, Chapra.
3. The Registrart, J.P. University, Chapra.
4. The State of Bihar, through the Principal Secretary Education Department,
Govt. of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raghav Prasad No.-1, Advocate
For the State	:	Mr. Sarvesh Kumar Singh, AAG 13
		Mr. Ravi Kumar, AC to AAG 13
For University	:	Mr. Nagendra Pd. Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-12-2018 The grievance of the petitioner in the present writ
petition is non-payment of salary for the period he put was
under suspension.

The suspension of the petitioner was revoked vide
Annexure-3 but no decision was taken with regard to payment
of salary for the period the petitioner was kept under
suspension.

Once the respondents have revoked the order of
suspension, it was obligatory on their part to decide the
entitlement of the petitioner for payment of salary for the period
of suspension. They cannot keep the case of the petitioner in
limbo by taking recourse to silence. No decision how to treat the



period of suspension for infinity is permissible.

Since the order of suspension was revoked way back on 1.10.2012 and we are at the end of 2018, the Court directs the respondent-University to take appropriate decision how to treat the period of suspension within a period of one month from today with opportunity of hearing to the petitioner and the University on such decision shall be under obligation to ensure payment within a further period of one month failing which the entire arrears shall carry interest at the rate of 9%.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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