

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8419 of 2015

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1. Rama Kant Prasad Son of Sri Kusheshwar Prasad, Reader, Department of Math, D.A.V. P.G. College, Siwan, Post office + Police Station + District - Siwan
 2. Dr. Yogendra Raut Son of Late Indrason Raut, Reader, Department of Geography, D.A.V. P.G. College, Siwan, Post office + Police Station + District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Higher Education Department, Government of Bihar, Patna
3. Baba Saheb Bheem Rao Ambedkar Bihar University, Muzaffarpur, through its Registrar
4. The Vice Chancellor, Baba Saheb Bheem Rao Ambedkar Bihar University, Muzaffarpur
5. The Registrar, Baba Saheb Bheem Rao Ambedkar Bihar University, Muzaffarpur
6. Jai Prakash University, Chapra, through its Registrar
7. The Vice - Chancellor, Jai Prakash University, Chapra
8. The Registrar, Jai Prakash University, Chapra

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shubh Narain Singh, Advocate
For JP University	:	Mr. Nagendra Kumar Singh, Advocate
For BRA Bihar University:		Mr. Arabind Nath Pandey, Advocate
For the State	:	Mr. Raghwanand, GA-11
		Mr. Nagendra Kr. Singh, AC to GA-11

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-12-2018 Two fold grievances have been reached in the instant writ petition by the petitioners one for none payment of salary for the period 1982 to October, 1992 and the second for difference of arrears of salary for the period 1986 to 1989.

Both the issues require factual enquiry. Respondent-University is required to verify the record and ascertain whether the petitioners are entitled to payment of salary for the



period 1982 to October, 1992 and arrears for the period 1986 to 1989. If similarly circumstanced employees have been granted arrears of salary and difference of salary then the respondents cannot adopt different yardstick in the matter of grant of such benefit to the petitioners.

Accordingly, the respondents-University is directed to work out the entitlement of the petitioners for the aforesaid period.

As the respondents State in their counter-affidavit have indicated that University is the custodian of the record and competent to answer all these aspects, necessary decision by the respondents University must be taken within a period of four months from the date of receipt/production of a copy of this order. It goes without saying that within the same time the respondents have to ensure the payment of monetary benefit to the petitioner.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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