

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16693 of 2015

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Nagendra Nath Pandey son of Ram Prasad Pandey Resident of Village-
Rampur Sanadia, P.O.- Ratanpur, District- Bhojpur. At present R/o Mohalla-
Nalbandh Toli, Town and P.O.- Buxar, P.S. Buxar Town, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education.
2. The Principal Secretary, Department of Education, Govt. of Bihar, New Secretariat, Patna.
3. The Veer Kunwar Singh University, through its Vice Chancellor, Ara.
4. The Vice-Chancellor, Veer Kunwar Singh University, Ara.
5. The Registrar, Veer Kunwar Singh University, Ara.
6. The Finance Officer, Veer Kunwar Singh University, Ara.
7. The Principal/Professor/in-Charge, Maharshi Vishwamitra Mahavidyalaya, Buxar, P.O.- Buxar, P.S.- Buxar Town, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Jha, Advocate
For the Respondent/s	:	Mr. Sarvesh Kumar Singh, AAG-13
For the University	:	Mr. Kinkar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-12-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State as well as University.

In view of the stand taken in paragraph 3 to 7 the
counter affidavit filed by the respondent-University that the
claim of the petitioner is admitted there is no dispute to decide.
The relevant part of the counter affidavit filed by the
respondents No.3 to 6 read as follows:-

“That the instant writ petition has been
filed on behalf of the petitioner before the Hon’ble
Court claiming for payment of Rs.6,12,386/- as



payment of arrear of salary and Rs.1,28,100/- due against earned leave, vide para-1 of the writ petition. Again in para-6 he is claiming for payment of Rs.8,70,653/- as arrear of salary on the basis of chart forwarded by the in-charge Principal M.V. College, Buxar vide Annexure-1 of the writ petition. It transpires from Annexure-1 that neither heads of amount nor the period has been mentioned in Annexure-1.

That the answering respondent craves leave of this Hon'ble Court to file a consolidated counter affidavit at this stage bringing on record those necessary and relevant facts which are related with the answering respondents for the proper and just adjudication of the case and further craves leave of this Hon'ble Court to file a detailed and comprehensive counter affidavit as when the occasion arise for if so directed by this Hon'ble Court.

That it is stated that as per the records of the University the bills of the petitioner were submitted by the Principal through Annexure-2 of



the writ petition and it was verified by the accounts section as well as finance Auditor of the University. It is further stated that it was found that Rs. 2,93,038 has already been paid by the Principal to the Petitioner which is 45% of the arrear. The Principal had mentioned Rs.3,58,158/- as the remaining amount payable to the petitioner, vide Annexure-2 of the writ petition.

That it is stated that during the course of investigation by the Finance Auditor Rs.4,99,975/- was found payable as the remaining amount of arrear of difference of salary for the period of 01.01.1996 to June, 2004 which was paid through cheque no.007408 dated 19.10.2016. It is prima facie evident from the report of Finance Auditor dated 18.10.2016.

That it is further stated that according to the report submitted by Finance Auditor dated 18.10.2016, that a total sum of Rs.7,93,013/- (2,93,038+4,99,975/-) which was found payable was paid to the petitioner. It is further stated that the payment of Earned Leave is under process.”



In view of the statement made in paragraph 3 to 7 the instant writ petition is disposed of with a direction to the University to ensure payment of arrears of salary calculated hereinabove at the earliest, preferably within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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