

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.560 of 2016

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1. Indra Nand Jha, S/o Late Jageshwar Jha, R/o Vill+P.O. Dholbazza, Dist Araria

2. Ashok Kumar Yadav, S/o Khelanand Yadav, R/o Professor Colony, Farbisganj, Ward No.24, Dist- Araria

3. Kamleshwari Prasad Yadav S/o Late Adhik Lal Yadav, Vill- Hasanpur, Ward No.-01, P.O.- Meriganj, Dist- Araria Petitioners

Versus

1. The State of Bihar

2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.

3. The Secretary, Secondary Education Human Resources Development Department, Government of Bihar, Patna.

4. The Managing Committee of Brahmnrishi Devraha Baba Kuber Shah College, Araria

5. The Chairman of the Managing Committee of Brahmnrishi Devraha Baba Kuber Shah College, Araria

6. The Secretary, Managing Committee of Brahmnrishi Devraha Baba Kuber Shah College, Araria

7. The Principal, Brahmnrishi Devraha Baba Kuber Shah College, Araria

8. The District Magistrate, Araria

9. The District Education Officer, Araria

10. The Sub Divisional Officer, Araria

11. The Chairman, Bihar School Examination Board (Senior Secondary), Patna Respondents

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Appearance :

For the Petitioners : M/S Kumar Ravish, Kashyap Koushal & Sanjay Kumar Sharma, Advs.

For the State : Mr. P.K. Singh, SC XII & Mrs. Archana Prasad AC to SC XII

For the BSEB : Mr. Gyan Shankar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

2 05-02-2018

Heard the learned counsel for the petitioners and the

learned counsel appearing for the State.

Mr. Kumar Ravish, learned counsel for the petitioners submits that the grievance of the petitioners in the present writ application is with regard to non-payment of proportional grant received by the institution on account of performance of the students of the institution funds are allocated by the State Government in terms of the policy decision of the



Government. He submits that these petitioners have either superannuated or resigned from the post of Lecturer in the college, in question. He further submits that up to academic year 2008 the grant allocated by the Government of Bihar have been paid to the petitioners, however, the grant received after 2008-2009 has not been paid to the petitioners and in this process the District Education Officer, Araria, is required to examine the claim of the petitioner and ensure payment of the same through the Managing Committee of Brahmurishi Devraha Baba Kuber Shah College, Araria, respondent no. 4.

In view of the issue involved in the present writ application, there is no reason to keep this application pending. In case the petitioners approach the respondents 8 and 9 by way of filing representation, respondents 8 and 9 shall examine the claim of the petitioner and pass appropriate order and issue order/direction for payment to the petitioners out of the fund allocated by the State Government within a reasonable time preferably within sixty days, from the date of receipt/production of a copy of this order.

With the aforesaid observations, this application is **disposed of.**

(Anil Kumar Upadhyay, J)

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