

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4740 of 2017

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Dr. Vinay Kumar Chaudhary Son of Late Dhaneshwar Chaudhary, Associate Professor, Department of Sociology, R.M. College, Saharsa, Presently residing at Mohalla- Gangjala, P.S.+ District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. Bhupendra Narayan Mandal University, Madhepura through its Registrar.
3. Vice- Chancellor, Bhupendra Narayan Mandal University, Madhepura.
4. The Registrar, Bhupendra Narayan Mandal University, Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra, Advocate
For the State	:	Mr. Madhaw Pd. Yadav-GP23
For the University	:	Mr. Mithilesh Kumar Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the B.N.Mandal University as well as the State.

In the counter affidavit filed on behalf of the State stand has been taken in paras 10 and 11 which reads as follows:-

“10. That as per the averments made the writ application the petitioners have been promoted to the post of Reader vide University notification dated 05.09.2012 with effect from 27.03.1990. As per averment made in Annexure-4 of the writ application pay verification on of the petitioners were made by the Pay Verification Cell wherein the date of



substantive appointment of the petitioner has been treated as 01.02.1988. The petitioner has not raised any grievance or further averment regarding his pay verification done by the Pay Verification.

11. That it is humbly stated here that the University has to closely examine the factual claim of the petitioner, ascertain the same and make payment in accordance with law.”

In view of the stand of the State in paras 10 and 11 the University is required to take final decision with regard to the grievance of the petitioner.

Counsel for the petitioner submits that the petitioner has approached the Vice Chancellor of the University vide Annexure-2 and the same is still pending.

It is to be indicated that the Governor secretariat has already requested the University to take final decision with regard to payment of arrears vide letter No. 1119 dated 3.8.3015 yet the University has not taken any final decision.

In view of Annexures 2 and 3 of the counter affidavit and the statement of the respondent-State, the writ petition is disposed of with a direction to the University to take final decision on Annexure-2, if not already taken, within a maximum period of three months from the date of receipt/production of a copy of this order.



It is needless to state here that if it is found that the claim of the petitioner is justified, necessary order has to be passed by the respondents for consequential relief to the petitioner within the time-frame indicated hereinabove.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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