

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3828 of 2017

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Manmath Nath Pandey, Son of Late Ram Dahin Pandey, resident of Mohalla -
Professor Colony Srikrishnapuri Ward No. 5, P.S. Town, District – Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through Commissioner - Cum - Secretary Human Resources Department (Higher Education) Government of Bihar.
2. The Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga through it's Registrar.
3. The Vice - Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Principal, Ram Nirikshan Atma Ram College, Samastipur.
6. The Head University P.G. Department, Geography, L.N.M.U. Kameshwar Nagar, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar, Advocate
For the State	:	Mr. S.C. Mishra, S.C. 16
		Mr. Madhukar Mishra, A.C. to S.C. 16
For the L.N.M.U.	:	Mr. Md. Nadim Seraj, Advocate
For the Respondent No. 5	:	Mr. Binodanand Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-04-2018

Heard learned counsel for the petitioner; State; L.N.
Mithila University (hereinafter referred to as the 'University') and
respondent no. 5.

2. 3rd supplementary counter affidavit has been filed on
behalf of respondents no. 3 and 4 and also affidavit has been filed on
behalf of respondent no. 5.

3. The reason the respondent no. 5 was required to appear
was that the Court had recorded that despite a request having gone to



him for furnishing certain information, within a specific time, the same had not been complied with. Today, the explanation is that due to lack of hands and him being tied up in other works, there was delay. On a query of the Court as to why when if there were genuine and *bona fide* reason for not complying with the request of the University within time, he had not intimated the same to the University or sought any extension for compliance, there is no answer. The Court, thus, has no hesitation to record that from the conduct of respondent no. 5, it is apparent that he was least concerned with the direction of the University, despite him being a subordinate to comply with the direction/request made by the University and was not even bothered to inform the University with regard to any difficulty faced by him or even seeking any extension of time. The situation is worse as he had been informed that such information was required for action to be taken in pursuance of the order of the High Court, which is clearly reflected from the communication made to him under letter dated 12.02.2018.

4. Under such circumstances, the Court directs the Vice Chancellor of the University to initiate appropriate proceedings against him for such conduct, and take the same to its logical conclusion in right earnest expeditiously.

5. Coming to the merits of the matter, from the affidavit



filed today on behalf of the University, it transpires that the admitted remaining dues of DDA have been paid to the petitioner on 26.03.2018.

6. In view thereof, the writ petition having served its purpose, stands disposed off. However, it shall be open to the petitioner to represent before the Registrar of the University with regard to any remaining grievances he may have regarding any unpaid amount due to him. If the same is filed within four weeks from today, the Registrar shall consider the same and get it verified from the records and pass a reasoned order within four weeks from the date of filing of such representation. If any further payment is required to be made in terms of the order passed, the same shall be paid to the petitioner within the next four weeks. It goes without saying that the payments shall carry statutory interest, if any, in accordance with law, on them.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
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