

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16919 of 2017

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Shivnath Singh, Son of Sri Rameshwar Singh, Resident of Mohalla- Bagha, Police Station- Town Thana (Sadar), District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum- Secretary, Department of Higher Education, Government of Bihar, Patna.
2. The Commissioner-cum-Secretary, Department of Higher Education, Government of Bihar, Patna.
3. The Lalit Narayan Mithila University through its Registrar, Kameshwar Nagar, Darbhanga.
4. The Vice- Chancellor, L.N. Mithila University, Darbhanga.
5. The Registrar, L.N. Mithila University, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Sharma, Advocate
For the State	:	Mr. Madanjeet Kumar, G.P. 20
		Mr. Rajeev Ranjan, A.C. to G.P. 20
For the L.N.M.U.	:	Mr. Md. Nadim Seraj and
		Mr. Arun Kumar Prasad, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 16-07-2018

Heard learned counsel for the petitioner; State and L.N.

Mithila University (hereinafter referred to as the 'University').

2. In terms of order dated 22.06.2018, the Vice Chancellor and Registrar of the University are present. A counter affidavit has also been filed on their behalf giving details of the payments made.

3. Having regard to the aforesaid, the Court finds that all admitted retiral dues has been paid. However, with regard to the strike period , the Court is not inclined to pass any positive order for



the same being paid from public exchequer cannot be done unless there is certain proof that the requirement for making such payment has been fully complied with by the person concerned and not merely shown on paper, for various extraneous considerations. Such pure questions of fact cannot be decided by this Court in its present jurisdiction under Article 226 of the Constitution of India.

4. Accordingly, the writ petition stands disposed off with liberty to the petitioner to take necessary steps, before the appropriate forum, in accordance with law, in the matter.

5. Personal appearance of the Vice Chancellor and Registrar of the University stands dispensed with.

6. Today, in three case in a row, the Vice Chancellor and the Registrar of the University were called. They have categorically assured the Court that henceforth, in each and every matter, detailed and parawise instructions shall be sent on each and every issue raised in the writ petition and/or subsequent pleadings.

7. Having regard to such assurance, their personal appearance stands dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
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