

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9269 of 2011

Dr. Rizwan Siddiqui S/O Late Md. Siddiqui R/O Village- Malmal, P.S. + P.O.-
Malmal, District- Madhubani, A Superannuated Employee Retired As Reader
In The Department Of Urdu, R.N. College, Pandaul, Madhubani.. Petitioner/s
Versus

1. The State Of Bihar
2. The Secretary Higher Education, Government Of Bihar, Patna
3. The Vice-Chancellor Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
4. The Registrar Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
5. The Finance Officer Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga
6. The Principal, R.N. College Pandaul, Madhubani Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mr. Ram Balak Mahto Ag
For LNMU	:	Mr. Chandra Mohan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 27-06-2018 Learned counsel for the petitioner submits that the

case of the petitioner is covered by the decision of a Coordinate

Bench in C.W.J.C. No. 11904 of 2011 dated 9.5.2016.

The Coordinate Bench on consideration of the
materials available on record including the counter affidavit
held out as follows:-

**“In view of the facts and
circumstances, since the order impugned was
passed in violation of principles of natural
justice, the Court is of the opinion that the
order impugned is required to be interfered
with. Accordingly, the order contained in
Annexure-11 i.e. the letter contained in Memo
No. 10223-831 dated 28.07.2010 to the extent of
Serial no.450, which relates to the petitioner, is
hereby set aside.**

Since the order impugned has been



set aside, the petitioner shall be entitled to get all consequential benefits from the date of issuance of impugned order. All the formalities must be completed within three months from the date of receipt/production of a copy of this order.

Since the order impugned has been quashed due to the reason of violation of principles of natural justice, it goes without saying that University would be at liberty to pass an order afresh provided opportunity of hearing is given to the petitioner.”

In view of the above, the writ petition is disposed of with direction to the respondents to follow the principles of natural justice before passing any order adverse to the interest of the petitioner.

The impugned order contained in Annexure-10 shall not be given effect to and it would be not as a bar in considering the case afresh in the light of the order passed in the present application.

Final decision in this regard may be taken by the respondents within a maximum period of sixty days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Ravi/-

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