

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14464 of 2014

=====

Uday Raj S/o Late Janeshwar Singh Resident of Village and P.O. Lari, P.S. Kurtha, District Arwal, the retired Librarian, S.B.A.N. College, Darheta-Lari, P.O. Lari, District Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Vice Chancellor, Magadh University, Bodh Gaya.
5. The Registrar, Magadh University, Bodh Gaya.
6. The Finance Officer, Magadh University, Bodh Gaya.
7. The Principal, S.B.A.N. College, Darheta-Lari, P.O. Lari, District Arwal.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh
For the Respondent/s	:	Neetu Ghay, AC to GA-12
For the University	:	Mr. Shivendra Kishore, Sr. Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Learned counsel for the petitioner submits that after order, Annexure-2, the University has fixed the pay-scale as librarian but the benefit of such fixation has not been reached the petitioner.

Mr. Shivendra Kishore, learned Sr. counsel appearing on behalf of the University submits that after order of the writ court, the University has redressed the grievance of the petitioner by fixing pay-scale and petitioner is not challenging the pay fixation made by the University.



He submits that from perusal of the pleadings, it does not appear that petitioner has not been paid the benefit of pay fixation in the light of Annexure-2 and as such he submits that the present writ application is misconceived.

Learned counsel appearing on behalf of the petitioner has categorically stated that the benefit of pay fixation has not been extended to the petitioner.

Referring to para-17 of the writ application counsel for the petitioner has stated that in view of the aforesaid, the respondent University may be directed to fix the salary of the petitioner as Librarian since 01.04.1974 and accordingly fix and pay other consequential monetary benefits with statutory as well as penal interest. If the petitioner has been paid salary in terms of the order contained in Annexure-2 as Librarian then the present writ application does not merit any consideration but in case the payment has not been made to the petitioner strictly in accordance with Annexure-2 then the payment if not made within a period of three months, the same will carry interest at the rate of 9 per cent from the date of order of this Court (Annexure-2) till the date of actual payment and the interest component shall be made by the officers of the University which will be determined by the Vice-Chancellor of the



University.

With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

