

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11079 of 2014

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Mandvi Shandilya, D/o Kritya Nand Sharma, Resident of Village- Rajapur,
P.S. Bodh Gaya, District- Gaya Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education, Government of Bihar, Patna
 2. The Principal Secretary, Department of Education, Government of Bihar, Patna
 3. The Director (Higher Education), Government of Bihar, Patna
 4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
 5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga Respondent/s
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with

Civil Writ Jurisdiction Case No. 11523 of 2014

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Bhargav Kumar, son of Dr. Umesh Sharma, Resident of Village- Dedhsaiya,
P.S.- Kako, District- Jehanabad Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education, Government of Bihar, Patna
 2. The Principal Secretary (Higher Education), Department of Education, Government of Bihar, Patna
 3. The Director (Higher Education), Department of Education, Government of Bihar, Patna
 4. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga through its Registrar
 5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
 6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
 7. Hathuaraj Gyanodaya Sanskrit Mahavidyalaya, Mandiri, Patna through its Secretary null null
 8. The Principal, Hathuaraj Gyanodaya Sanskrit Mahavidyalaya, Mandiri, Patna Respondent/s
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with

Civil Writ Jurisdiction Case No. 11895 of 2014

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Arun Kumar, Son of Shri Chandramaditya Singh, Resident of Village + P.O.-
Lai, P.S.- Bihta, District- Patna Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Principal Secretary (Higher Education), Department of Education, Government of Bihar, Patna
3. The Director (Higher Education), Department of Education, Government of Bihar, Patna
4. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga through its Registrar



5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
6. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
7. Hathuaraj Gyanodaya Sanskrit Mahavidyalaya, Mandiri, Patna through its Secretary
8. The Principal, Hathuaraj Gyanodaya Sanskrit Mahavidyalaya, Mandiri, Patna
... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13853 of 2014

Anil Kumar Jha, Son of Sri Tirth Narayan Jha, Resident of Village- Manikpur,
P.S.- Tarapur, District- Munger Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Education, Govt. of Bihar, Patna
2. The Principal Secretary, Dept. of Education, Govt. of Bihar, Patna
3. The Director, Higher Education, Govt. of Bihar, Patna
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 11079 of 2014)

For the Petitioner/s : Mr. Satyam Shivam Sundaram, Advocate

For the Respondent/s : Mr. Gyanand Roy, Advocate

(In Civil Writ Jurisdiction Case No. 11523 of 2014)

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Respondent/s : Mr. Pramod Kumar Sharma, Advocate

Ms. Renu Jha, Advocate

(In Civil Writ Jurisdiction Case No. 11895 of 2014)

For the Petitioner/s : Mr. Arun Kumar

For the Respondent/s : Mr. Kamlesh Kishore, AC to SC 12

For the University : Mr. Gyanand Roy, Advocate

(In Civil Writ Jurisdiction Case No. 13853 of 2014)

For the Petitioner/s : Mr. Satyam Shivam Sundaram, Advocate

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 18-08-2018

Supplementary affidavits have been filed in each of the cases. Let them be kept on the record.

2. Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State as well as the University.



3. The present writ petitions involve the issue of non-payment of salary for certain period.

4. Learned counsel for the petitioners submits that the petitioners have worked for the period from January, 2013 onwards but denied salary.

5. By way of filing supplementary affidavits stand has been taken by the petitioners that they have been paid salary for the month of September, 2017 and for the period from October, 2017 onwards the University is taking step for payment of salary as the necessary fund has been released by the State for payment towards arrears of salary for the aforesaid period. However, there is no decision, one way or the other, with regard to payment of arrears of salary from January, 2013 to August, 2017.

6. Under the aforesaid circumstances, all the four writ petitions are disposed of with direction to the University to examine the record and on verification if it is found that the petitioners have worked during the aforesaid period and fund have been allocated by the State Government towards payment of arrears and current salary, necessary step may be taken by the respondent-University to ensure payment of arrears of salary for the period the petitioners have actually worked.



7. In the event funds allotted by the State is found to be inadequate, the respondent-University may request the State Government for release of additional fund as the State is under obligation to provide additional fund subject to submission of utilization certificate of the fund allotted earlier. Necessary decision for payment of arrears and current salary must be taken by the respondent-University within a maximum period of 60 days from the date of receipt/production of a copy of this order.

8. In case the University requests the State Government for release of additional fund on the ground of inadequacy of the available fund, the State Government may verify the utilization certificate of the previous fund allotted and ensure release of additional fund, if there is such occasion within a period of two months from the date of request made.

9. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.8.2018
Transmission Date	

