

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8015 of 2014

=====

Dr. Devendra Nath Chaturvedi, son of Late Vidyanand Chaturvedi, resident of
Village- Hansrajpur, P.O.- Puchhri, P.S.- Baniyapur, District- Chapra

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Bihar, Patna
2. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga through its
Registrar
3. Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
4. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga
5. The Principal, Shri Rishikul Brahmacharya Ashram Sanskrit College, Bedivan,
Madhuban, District- East Champaran

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Advocate

For the Respondent/s : Mr. Rewti Kant Raman, AC to SC-11

For the University : Mr. Gayanand Roy, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 31-10-2018

Heard learned counsel for the parties.

2. In view of the stand of the University in para 11 to 13 of the supplementary counter affidavit where the University admits the fact that salary payable to the petitioner has been calculated and request has been made to the State Government for release of fund so that payments may be made to the petitioner. For ready reference para 11 to 13 are quoted herein below:

“11. That with regard to paragraph no. 20 to 24 of the writ application the deponent states that the University made efforts to pay the due salary of the petitioner only then he has been paid his salary.



12. That the salary of the petitioner was due since 01.06.2012 to 31.05.2015 which was calculated and an amount of Rs.29,66,418 was found due to the petitioner.

13. That after calculation of the above due the State Government was requested to sanction the amount as calculated above so that the due salary of the petitioner may be paid the State Government was requested vide letter 137/2018 dated 24.08.2018.”

3. In view of the stand of the University quoted herein above, the writ application is disposed of with a direction to the Director, Higher Education to take steps for release of fund to the University so that the payment is made to the petitioner in accordance with the calculation made by the University, as indicated hereinabove. The State Government is under legal and moral obligation to provide fund in terms of the statutory provision under the Bihar State Universities Act. The Court hope and trust that the State Government would release the fund at the earliest on submission of the utilization certificate by the University with regard to fund earlier released by the State Government for payment of salary, pension and other dues to the employees of the University.

4. The State Government is also required to take steps for release of fund within a period of four months from today and on receipt of such fund, the University is required to utilize the fund for



payment of dues of the petitioner and alike within a further period of one month from the date of release of such fund.

5. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.11.2018
Transmission Date	

