

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8043 of 2016

Farhana Karim W/o Md. Raghieb Azam Resident of Mohalla Shantipuri,
Belbanwa, Station Road, Po+PS Motihari, District Motihari, East Champaran
... Petitioner

Versus

1. The B. R. A. Bihar University through the Registrar, B.R.A. Bihar University Muzaffarpur.
2. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
3. The Registrar, B.R.A. Bihar University Muzaffarpur.
4. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.
5. The Principal Munshi Singh Law College, Motihari ... Respondents

Appearance :

For the Petitioner	:	Mr. Shantanu Kumar, Adv.
For the Respondents	:	Mr. Santosh Kumar Jha, SC
For the University	:	Mr. Vikas Ratan Bharti, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 12-04-2018 Heard the learned counsel for the petitioner and the
learned counsel appearing for the University.

The grievance of the petitioner in the instant case is the denial of salary since October, 2011, despite regularly discharging the duty as part time.

Taking work and denying payment is begari, which is impermissible and also violative of Articles 21 and 23 of the Constitution of India. The University taking advantage of poor bargaining power cannot deny the payment of the petitioner. The petitioner is regularly working and is entitled to payment of salary. The University cannot deny the payment in the name of paucity of fund. If the University is utilizing the service, it is the solemn duty of the University to see that the payment is



made to the petitioner.

In the peculiar facts and circumstances of the case, the writ petition is **disposed off** with a direction to the University to ensure the entire payment to the petitioner within a maximum period of sixty days, from the date of receipt of this order.

(Anil Kumar Upadhyay, J)

Shamshad/-

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