

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12419 of 2015

Dr. Radhey Shyam Singh son of Sri Hira Singh resident of Village - Ward No. 8, Station Road, Mohaniya, Police Station - Mohaniya, District - Kaimur at Bhabhua (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary-cum-Commissioner, Human Resources Department (Higher Education), Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Vice Chancellor, Veer Kunwar Singh University, Bhojpur at Ara.
5. The Registrar, Veer Kunwar Singh University, Bhojpur at Ara.
6. The Finance Officer, Veer Kunwar Singh University, Bhojpur at Ara.
7. The Principal, Gram Bharti College, Ramgarh, District - Kaimur at Bhabhua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. Kinkar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-12-2018 1. Heard learned counsel for the petitioner and
counsel appearing on behalf of the University.

2. From perusal of the counter affidavit particularly paragraph 5 and 6, it appears that the matter is pending at the level of the Principal, Gram Bharti College, Ramgarh, who failed to respond to demand of the university. Paragraph 5 and 6 of the counter affidavit is quoted herein below for ready reference.

“That the University has demanded bills
of arrears of salary of the petitioner from the
Principal, G.B. College, Ramgardh on 31-5-2015



vide Letter No.A/c/785/Estab./16.

That the process of payment will be started after receipt of the bill and proper verification. The payment of the petitioner will depend upon the availability of the fund provided by the State government.”

3. In view of the stand taken by the University in paragraph 5 and 6 of the counter affidavit, the writ petition is disposed of with a direction to the University to take appropriate decision to ensure production of the relevant bills for payment to the petitioner. In the event Principal of the college failed to respond to the demand of the University, the University is expected to take all coercive step as the university cannot be permitted to make statement that university is helpless as the Principal of the college under the control of the University has not supplied the relevant documents. The Registrar of the University is hereby directed to take appropriate decision on the claim of the petitioner for payment of difference of arrears at the earliest, preferably within a period of four months from the date of receipt/production of a copy of this order.

4. The Principal of Gram Bharti College, Ramgarh is under obligation to provide all the necessary information for



deciding the claim of the petitioner. Failing which the University has to take appropriate coercive action including departmental proceeding for none furnishing of required information to the university.

5. With the aforesaid observation and direction the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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