

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.456 of 2012

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Ghanshyam Sahu Son Of Rajendra Sahu Resident Of Village - Paithan Kawai,
Police Station - Manigachhi, District - Darbhanga, Present Posted As Part
Time Teacher In J. N. B Adarsh Sanskrit Mahavidyalaya, At And P.O. Lagma,
Via Lohna Road, District - Darbhanga

... .. Petitioner/S

Versus

1. The Union Of India Through The Home Secretary, Government Of India,
New Delhi
2. The Secretary, Ministry Of Human Resources Development Department Of
Education, New Delhi
3. Vice Chancellor, Rashtruya Sanskrit Sansthan, A Deemed University
(Established Under The Auspices Of Ministry Of Human Resources
Development, Government Of India, 56-57, Institutional Area, Janakpuri, New
Delhi - 110058
4. The Registrar, Rashtriya Sanskrit Sansthan, A Deemed University
(Established) Under The Auspices Of Ministry Of Human Resources
Development, Government Of India, 56-57, Institutional Area, Janakpuri, New
Delhi - 110058
5. The Deputy Registrar (Finance), Rashtriya Sanskrit Sansthan , A Deemed
University (Established Under The Auspices Of Ministry Of Human
Resources Development, Government Of India, 56-57, Institutional Area,
Janakpuri, New Delhi - 110058
6. The Managing Committee Of J. N. B., Adarsh Sanskrit Mahavidyalaya
Through The Chairman At And P.O. Lagma (Rambhadurpur), Via Lohan
Road, District - Darbhanga
7. The Chairman, Managing Committee Of J. N. B., Adarsh Sanskrit
Mahavidyalaya Through The Chairman At And P.O. - Lagma
(Rambhadurpur), Via - Lohan Road, District - Darbhanga
8. The Principal , J. N. B., Adarsh Sanskrit Mahavidyalaya Through The
Chairman At And P.O. - Lagma (Rambhadurpur), Via - Lohna Road, District
- Darbhanga



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. J.P.Singh, Advocate

For the Respondent/s : Mr. Rabindra Kumar Priyadarshi, Advocate

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT**

Date : 13-07-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

2. Learned counsel for the petitioner submits that the petitioner may be granted liberty to approach the respondent No. 6 to pursue his claim for payment of salary as he is admittedly working on the post since 2011 but not paid salary although grants have been received from the Rashtriya Sanskrit Sansthan, New Delhi.

3. Accordingly, the petitioner is granted liberty to file a representation before the respondent No. 6 along with a copy of this order. In case such representation is filed, the respondent No. 6 shall look into the grievance of the petitioner and pass appropriate order. If it is found by the respondent No. 6 that the petitioner is working then he shall see that remuneration is paid, otherwise it will amount to exploitation in view of Article 23 of the Constitution of India and at the same time it is in breach of Section 72 of the Indian Contract Act.



4. The respondents will decide the claim of the petitioner in the light of the judgment of the Apex Court in the case of **Government of A.P. & Ors. Vs. K. Brahmanandam & Ors.: (2008) 5 SCC 241.**

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

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.07.2018
Transmission Date	

