

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22483 of 2012

-
1. Rabindra Kumar Rai @ Rabindra Prasad Rai Son of Sri Dasrath Prasad Rai Resident of Village- Harajee, PS Awatar Nagar, District Chapra.
 2. Panjak Kumar Labh Son of Sri Ratneshwar Deyal Resident of Village- Harajee, PS Awatar Nagar, District Chapra.
 3. Pankaj Kumar Labh Son Of Sri Ratneshwar Deyal Resident Of Village- Harajee, P.S. Awatar Nagar, District- Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Human Resources Government of Bihar, Vikash Bhawan, Patna.
3. The Vice-Chancellor , Jai Prakash University Through its Vice Chancellor, Chapra.
4. The Registrar, Jai Prakash University through Vice Chancellor, Chapra. null null
5. The Director, Department of Human Resources (Higer Education) Government of Bihar, Patna.
6. The Deputy Director, Department of Human Resources (Higher Education) Government of Bihar, Patna.
7. The Principal , Deoraha Baba Sridhar Das Degree Mahavidyalaya, Rampur Kadna, Garkha District Saran.
8. The Governing Body of Deoraha Baba Sridhar Das Degree Mahavidyalaya, Rampur Kadna, Garkha District Saran.
9. The Secretary, Deoraha Baba Sridhar Das Degree Mahavidyalaya, Rampur Kadna Garkha District Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Sr. Advocate
Mr. Bhola Kumar, Advocate
For the Respondent/s : Mr. Sanjay Kumar, AC to SC-15

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 13-08-2018 The controversy raised in the instant case as to the payment of salary cannot be adjudicated in the present proceeding particularly against the Managing Committee in view of the law laid down in the case of **Sirsi Municipality AIR 1973 SC 855** and reiterated in **Vaishya Degree College**



AIR 1976 SC 888, however, liberty shall be available to the petitioner to approach before the Civil Court for common law remedy and in case such appeal is filed before the Civil Court, the Civil Court is expected to consider the condonation of delay in view of the fact that the present writ application was filed on 6.12.2012 and remained pending for more than five years.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

