

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2746 of 2018

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1. (Dr.) Chandrashekhar Jha, Son of Late Rajeshwar Jha, Associate Professor, Department of Political Science, M.L.S.M. College, Darbhanga
..... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. Lalit Narayan Mithila University, Kameshwar Nagar Darbhanga through its Registrar.
4. Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
7. Principal M.L.S.M. College, Darbhanga Respondents

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Appearance :

For the Petitioner : Mr. Binodanand Mishra, Adv.
For the State : Mr. Kameshwar Kumar, GP XVII
For the University : Mr. Arun Kumar Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-02-2018 Heard the learned counsel for the petitioner and the learned counsel appearing for the State and the learned counsel for the University.

Learned counsel for the petitioner submits that the issue with regard to entitlement of the petitioner for payment of arrears is no more res-integra. In fact, a coordinate Bench of this Court in C.W.J.C. No. 5331 of 2010 vide order, dated 12.10.2010, has already examined the entitlement of similarly circumstanced teachers of University and has issued direction for payment of arrears within a time frame of fifteen days and, as such, he submits that the present writ application is also covered by the principle



laid down by the coordinate Bench in C.W.J.C. No. 5331 of 2010. It is submitted that the present writ application may be disposed of with a direction to the Lalit Narayan Mithila University, Darbhanga, to take final decision with regard to the entitlement of the petitioner for payment of arrears in the light of the decision of the coordinate Bench in C.W.J.C. No. 5331 of 2010 vide order, dated 12.10.2010.

Without expressing any opinion on the claim of the petitioner as to the similarity with the case of the petitioner in C.W.J.C. No. 5331 of 2010 for deciding the entitlement of the petitioner for payment of arrears, the writ application is **disposed of** with the direction to the respondents to examine the claim of the petitioner in the light of the decision of this in C.W.J.C. No. 5331 of 2010 as the principle decided by this Court is applicable to all the Universities of the State of Bihar and the respondents cannot take a different view for considering the entitlement of the teachers of the Universities. In the event the respondents find the case of the petitioner similar to that of petitioner of C.W.J.C. No. 5331 of 2010, they are required to pass appropriate order extending the same benefit to this petitioner also.

(Anil Kumar Upadhyay, J)

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