

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17141 of 2018

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1. Praduman Nath Tiwary, Son of Sri Bachan Nath Tiwary, Resident of Village- Bargaon, P.O.+P.S.- Bargaon, District- West Champaran.
 2. Jata Shankar Tiwary @ Jata Shankar Tripathi, Son of Phuldev Tiwary, Resident of Village- Ramgarhwa, P.O.+P.S.- Ramgarhwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University.
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University.
5. The Janki Sanskrit Up-Shastri College, Narkatiyaganj, District- West Champaran through its Principal.
6. The Principal Janki Sanskrit Up-Shastri College, Narkatiyaganj, District- West Champaran.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Brisketu Sharan Pandey

For the Respondent/s : Mr. Prabhakar Jha, GP-27

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-10-2018 The present writ petition has been filed for payment of salary for the period the petitioners had worked.

The learned counsel for the petitioners submits that vide notification dated 19.04.2018 issued by the University, the University has decided to approve the appointment of several teachers including the petitioners herein.

The learned counsel for the University submits that though it is true that the University has approved the appointment



of the petitioners herein, however, the same is subject to approval by the State Government and as far as the payment of salary is concerned, the same is subject to availability of funds.

In view of the aforesaid, the writ petition is disposed off with a direction to the State Government in the Education Department to take appropriate decision in light of the aforesaid notification dated 19.04.2018 as contained in Memo No. 653 and communicate to the University about the outcome regarding approval of the services of the petitioners herein, if not already intimated, within a period of 60 days from the date of receipt/production of a copy of this order.

The consequential benefits shall accrue to the petitioners immediately upon the decision of the respondent State as well as subject to release of fund by the State Government.

The writ petition is disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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