

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17334 of 2017

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Dr. Chandra Vijay Prasad Singh, aged about 61 years, son of Late Bindeshwari Prasad Singh, resident of S.F.C. Colony, Opposite Transport Nagar, P.O.- Badi Pahari, P.S.- Ram Krishna Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar the Principal Secretary, Education Department, Bihar, Patna.
2. Magadh University, Bodh Gaya through its Registrar.
3. Vice Chancellor, Magadh University, Bodh Gaya.
4. Financial Advisor, Magadh University, Bodh Gaya.
5. Registrar, Magadh University, Bodh Gaya.
6. Principal, B.D. College, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava

For the Respondent/s : Mr. A. R. Pandey -Aag15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner, State and the
counsel appearing on behalf of the University.

The grievance of the petitioner in the present writ
petition is non-payment of salary.

Learned counsel appearing on behalf of the
University submits that some kind of enquiry is pending and as
such the payment of salary of the petitioner is kept in abeyance
since June, 2017.

Counsel for the petitioner submits that the petitioner
is regularly working.



Without going into the nitty-gritty of the claim raised in the writ petition, the writ petition is disposed of with direction to the University to take final decision with regard to payment of the petitioner within a period of sixty days from the date of receipt/production of a copy of this order.

It is made clear that if the appointment of the petitioner is valid and petitioner is discharging the duty, the University is under legal and moral obligation to see that payments are made to the petitioner for the work the petitioner has done as taking work and denying the payment amounts to begaari which is violative of Article 23 of the Constitution. Not only the decision but actual monetary benefit must reach the petitioner within the aforesaid time frame as indicated hereinabove.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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