

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12290 of 2018

1. Dr. Namo Nath Thakur S/o Late Mayanand Thakur, Resident of Village-Sarara, P.O.-Madaneshwar Ashthan, P.S.-Babu Barhi, District-Madhubani.
2. Dr. Satee Raman Jha S/o Late Rewati Raman Jha, Resident of Village and P.O.-Gangauli, Via-Lohna road, P.S.-Sakatpur, District-Darbhangha.
3. Dr. Uday Shankar Jha S/o Late Jaykant Jha, Resident of Mohalla-Sundarpur, P.S. and District-Darbhangha.
4. Dr. Parmendu Pathak S/o Late Satyadeo Pathak, Resident of Village-Pohaddi, Via-Benipur, P.S.-Bahera, District-Darbhangha.
5. Dr. Subodh Kumar Thakur S/o Late Krishna Kumar Thakur, Resident of Mohalla-Mithila Colony No.2, Lakshmi Sagar, P.S.-University, District-Darbhangha.
6. Dr. Sarvanand Pandey S/o Vishnudeo Pandey, Resident of Village- Sohan Par, P.O. and P.S.-Bhatpar Rani, District-Dewariya U.P..
7. Dr. Baidyanath Jha S/o Mani Nath Jha, Resident of Village- Sarisab Pahi, P.S.-Pandaui, District-Madhubani.
8. Patanjali Shastri S/o Vishnudatta Sharma, Resident of Village- Dariyapur, P.O.-Fatuha, P.S.-Fatuha. District-Patna.
9. Dr. Shiv Shankar Jha S/o Late Badri Nath Jha, Resident of Village and P.O.- Lohna West, Via-Sarisab Pahi, P.S.-Bhairab Asthan, District-Madhubani.
10. Dr. Badri, Nath Jha S/o Late Tejnath Jha, Resident of Village and P.O.-Deep, Via-Jhanjharpur, P.S.-Lakhnaur, District-Madhubani.
11. Dr. Mohan Mishra S/o Late Kumud Nath Mishra, Resident of Village-Lalganj, P.O.-Sarisab Pahi, P.S.-Bhairab Asthan, District-Madhubani.
12. Rishideo Singh S/o Late Shiv Jatan Singh, Resident of Village- Kolhua, P.O.-Sonpatahi, P.S.-Baghu Barhi, District-Madhubani.
13. Dr. Murari Mishra S/o Dharnidhar Mishra, Resident of Village- Ramsidih, P.O.-Pachrukhiya, Via-Hasan Bazar, P.S. District-Bhojpur.
14. Dr. Subodh Kumar Jha S/o Late Kamlakant Jha, Resident of Village-Rampur Dih, P.O.-Dariyapur, P.S.-Sahkund, District-Bhagalpur.
15. Dr. Amrit Nath Jha S/o Late Sitanath Jkha, Resident of Village- Sarb Sima, P.O.-Naruar, P.S.-Bhairab Asthan, Via-Lohna Road, District-Madhubani.
16. Taranand Mishra S/o Late Nand Kumar Mishra, Resident of Village and P.O.-Bhatsimari, PS.-Rajnagar, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Government of Bihar, Patna
2. The Director, Department of Higher Education, Government of Bihar, Patna.
3. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.



4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Jha
For the Respondent/s : Mr.Prabhakar Jha- Gp27

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 09-09-2019 Heard learned counsel for the petitioners and the
respondents.

The grievance of the petitioners in the present writ
application is non-payment of salary since June, 2012.

Learned counsel for the petitioners submits that
without assigning any reason and without passing any order
adverse to the petitioners, the respondents have denied payment
of salary, although the petitioners are regularly working.

Payment of salary requires verification of record as to
the actually working of the petitioners.

Considering the nature of relief prayed for in the writ
application, the writ application is disposed of with a direction
to the Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga to verify the record and after
verification if it is found that there is no illegality and
irregularity in the appointment of the petitioners and the
petitioners are regularly working, the University shall ensure



payment of salary to the period the petitioners have actually worked. Necessary decision in this regard may be taken by the respondents at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.

In the event, University is not inclined to accept the claim of the petitioners, the respondents have to give opportunity of hearing to the petitioners and after hearing the petitioners, the respondent University shall pass reasoned order on the claim of the petitioner for payment of salary within the time frame indicated herein above.

In the event, if it is found that the petitioners are entitled to payment but the fund is not adequate for payment of salary, the University shall raise demand for allocation of additional fund from the State Government and on that request the State Government shall release the additional fund in terms of the obligation under the Bihar State Universities Act within a period of one month from the date of raising such demand.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

uday/-

U			
---	--	--	--

