

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13897 of 2019

Dr. Jyoti Sinha, Wife of Sri Atul Kumar Sinha, Daughter of Dr. R.P. Nath Resident of House no. 126 A, Besides Little Flower School, Dharampur, Gorakhpur, now residing at C/o Dr. R.P. Nath, 401 A, Vishal Kamla Apartment, Munar Sah Colony, Road No. 2, Khajepura, P.O.- B.V. College, P.S.- Shastri Nagar, Patna 14, at Present posted as In- charge Sr. Scientist and Head, K.V.K. Harnaut (Nalanda). Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Agriculture, New Secretariat, Patna.
2. Bihar Agricultural University Sabour, through its Registrar.
3. The Vice Chancellor, Bihar Agricultural University, Sabour.
4. The Registrar, Bihar Agricultural University, Sabour, At and P.O. and P.S.- Sabour, District- Bhagalpur.
5. The Director Extension Education, Bihar Agricultural University, Sabour.
6. The Principal, College of Horticulture, Noorsarai, Nalanda.
7. The In- Charge K.V.K. Harnaut (Nalanda). Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ved Prakash Srivastva
For the Respondent/s	:	Mr. Alok Kumar Rahi, AC to GP-21
For the University	:	Mr. Anjani Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and the respondents.

2. Learned counsel appearing on behalf of the petitioner submits that the grievance of the petitioner is non-payment of salary for the period the petitioner was granted study leave.

3. The payment of salary for the period of study leave depends on the terms of grant of study leave under Faculty Development Scheme.

4. Mr. M. N. Parvat, learned senior counsel for the



petitioner submits that the petitioner was granted study leave by the then Vice-chancellor of the University, however, her case was never placed before the Committee for the purpose of grant of study leave with salary.

4. Under the aforesaid circumstance, no positive direction can be issued in favour of the petitioner. However, liberty shall be available to the petitioner to represent the Bihar Agriculture University, Sabour, Bhagalpur, the successor University, which has been bifurcated from Rajendra Agriculture University.

5. Necessary decision on the claim of the petitioner must be taken by the respondents Bihar Agriculture University, Sabour, Bhagalpur within a maximum period of three months from the date of filing of representation along with a copy of this order.

6. In case, the Committee decided in favour of the petitioner, the University shall also see that the monetary benefit is extended to the petitioner.

7. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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