

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6044 of 2018

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Rajeshwar Dubey Son of Chandrika Dubey, Resident of Village- Semarbari
Nawka Tola, PO- Dhanha, District- West Champaran, Presently residing at
Paras Nagar, PO- Patilar, PS- Chowtarwan, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principle Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
4. The Chancellor, Universities of Bihar, Government of Bihar, Patna.
5. The B.R.A. Bihar University, Muzaffarpur through its Registrar at Muzaffarpur.
6. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
7. The Registrar, B.R.A. Bihar University, Muzaffarpur.
8. The Jai Prakash University, Chapra through its Registrar at Chapra.
9. The Vice Chancellor, Jai Prakash University, Chapra.
10. The Registrar, Jai Prakash University, Chapra.
11. The Principal, Gopalganj College, Gopalganj, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate
For the Respondent/s : Mr. Prabhakar Jha, G.P. 27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 30-08-2019 The grievance with regard to payment of salary from

01.04.1979 to 20.11.2002 is involved in the present writ
application.

On behalf of the respondent nos. 1 and 3 (Education
Department) stand has been taken that the matter is related to
J.P. University, Chapra who is custodian of the records and



competent to answer with regard to the claim of the petitioner.

On behalf of the J.P. University till date no counter affidavit has been filed. Petitioner has been regularized against the sanctioned post with effect from 21.11.2002. The petitioner is regularly getting salary after 21.11.2002.

The controversy as to the payment prior to 20.11.2002 is the subject matter of this writ application which requires verification of the records at the level of the University.

In the event, it is found that the petitioner would be entitled to payment of arrears of salary from 01.04.1979 to 20.11.2002, appropriate decision may be taken by the University on the claim of the petitioner and thereafter the State Government will take appropriate decision on the claim of the petitioner.

Entire exercise in this regard may be taken by the respondent University and the State within a maximum period of four months from the date of receipt/production of a copy of this order.

Once the respondent admits the entitlement of the petitioners for payment of salary from 01.04.1979 to 20.11.2002 the respondents have to take steps for granting consequential benefits at the earliest within a further period of one month.



With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

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