

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15208 of 2019

Arpana Kumari Suman W/o Ram Kripal Rai and D/o Late Sitaram Singh
Resident of Gandhi Ashram, P.O. Hajipur, P.S. Town Hajipur, District-
Vaishali. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Bhim Rao Ambedkar Bihar University, Muzaffarpur, District- Muzaffarpur through its Registrar.
4. The Vice Chancellor, Bhim Rao Ambedkar Bihar University, Muzaffarpur, District- Muzaffarpur.
5. The Registrar, Bhim Rao Ambedkar Bihar University, Muzaffarpur, District- Muzaffarpur.
6. The Vaishali Mahila College, Hajipur through its Principal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Brisketu Sharan Pandey
For the Respondent/s	:	Mr. Hari Mohan Mishra, AC to GP-27
For the University	:	Mr. Zaki Haider

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and the respondents.

Learned counsel for the petitioner submits that the petitioner has not been paid salary since August, 2018 due to inaction on the part of the respondents in fixing the pay scale. He further submits that the petitioner was granted lien to join the post of Principal in affiliated college and after return to the Vaishali Mahila College petitioner has not been paid salary.

The petitioner's case for absorption under Section 4 (1) (14) of the Bihar State Universities Act was recommended



by the Justice Agrawal Commission and from the materials available on record, it appears that the University has accepted the entitlement of the petitioner for absorption in terms of the recommendation of the report of the Justice SC Agrawal Commission and the judgment of the Apex Court in the case of **State of Bihar & Ors. Vs. Bihar Rajya M.S.E.S.K.K. Mahasangh & Ors.**, reported in **(2005) 9 SCC 129**.

Considering the aforesaid, the writ application is disposed of with a direction to the Vice-Chancellor of the University to take appropriate decision with regard to payment of arrears of salary and fixation of pay scale of the petitioner after joining of the petitioner in the College on return from deputation.

Necessary decision in this regard must be taken by the respondents at the earliest preferably within a maximum period of three months from the date of receipt/production of a copy of this order and the petitioner shall be granted all the admissible benefits within the time frame indicated herein above.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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