

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17400 of 2019

Dr. Upendra Kumar Sharma S/o Late Jaleshwar Sharma Vill.- Taret, P.O. and P.s.- Naubatpur, distt.- Patna at present working as Assistant Professor in the Department of Hindi in Bharateshwari Marwari Sanskrit College, Chhapra (Saran)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. The Principal Secretary Department of Education, Govt. of Bihar, Patna
3. The Director Department of Education, Govt. of Bihar, Patna
4. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga through its Registrar
5. The Vice Chancellor Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
6. The Registrar Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
7. Bharateshwari Marwari Sanskrit College Chhapra (Saran) through its Secretary

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha (Gp27)
		Mr. Umesh Narayan Dubey, AC to GP27
For the University	:	Mr. Awadh Prasad Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-08-2019 Heard learned counsel for the petitioner and the State and the University.

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

Learned counsel for the petitioner submits that the service of the petitioner has been approved by the University and his case was recommended by the University.



Learned counsel for the University would submit that payment is only possible if the adequate fund is made available to the University by the State.

Considering the aforesaid, the writ petition is disposed of with a direction to the State to take appropriate decision with regard to allotment of fund to the University as payment of salary to the teaching and non-teaching employees depends on the allocation of fund by the State and the State has onerous duty to provide fund in terms of the scheme of the Bihar State Universities Act.

The Director, Higher Education is required to do the needful at the earliest preferably within a maximum period of 60 days from the date of receipt/production of a copy of this order so that the payment may be made to the petitioner by the University.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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