

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5529 of 2018

Dr. Binod Mohan Jaiswal S/o Late Lakshmi Narayan Choudhary, R/o- Kailashpuri, Bypass Road, Ward No. 32, Town P.S. District- Saharsa, presently working as Associate Professor, Department of Hindi, R.M. College, Saharsa, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The B. N. Mandal University, Madhepura, Through Its Registrar
2. The Vice- Chancellor, B.N. Mandal University, Madhepura.
3. The Financial Advisor, B.N. Mandal University, Madhepura. null
4. The Registrar, B.N. Mandal University, Madhepura.
5. The Finance Officer, B.N. Mandal University, Madhepura.
6. The Principal, R.M. College, Saharsa, District- Saharsa.
7. The Principal Secretary, Education Department, Government of Bihar, Patna.
8. The Director, Higher Education Department, Govt. of Bihar, Patna.
9. The Pay Verification Cell, Department of Education, Bihar State Text Book Publishing Corporation Ltd. Campus, Buddha Marg, Patna through its Authorised Officer

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Purushottam Jha
For the Respondent/s	:	Mr. Prabhat Ranjan Singh
For the B.N.U.	:	Mr. Ritesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 05-03-2019

1. The present writ petition has been filed seeking the following reliefs :-

“(i) Issuance of an order, direction or a writ in the nature of mandamus commanding the Authorities concerned of the Respondent University to make the payment of petitioner’s Arrears of salary claim of Rs. 38,81,264.00 for the period in between Jan’ 1996 to Feb’ 2014, which is due to be paid on account of



petitioner's promotion on the post of Reader (Associate Professor) w.e.f. 26.12.1994

(ii) Issuance of an order, direction or a writ in the nature of mandamus commanding the Authorities concerned of the Respondent University to make the payment of interest to the petitioner on his arrears of salary claim of Rs. 38,81,264.00 at least @ 12% per annum, as has been ordered to be paid to the similarly situated teachers working in a Fourth Phase Constituent College of the V.K.S. University, Ara vide order dated 11.10.2010 in CWJC no. 2924 of 2010, which has been affirmed by the Division Bench of this Hon'ble Court vide order dated 13.07.2012 passed in LPA no. 32 of 2011.

(iii) Issuance of an order/ direction or a writ in the nature of Mandamus commanding the Respondents concerned to pay suitable amount of compensation to the petitioner, for causing unnecessary mental, social, financial agony to the petitioner by way of making non-payment of petitioner's due salary and the amount of such compensation may be quantified as Rs. 10,00,000.00 only for the petitioner. "

2. The learned counsel for the petitioner submits that the petitioner would be approaching the Vice- Chancellor, B.N. Mandal University, Madhepura for redressal of his grievances and the learned Vice-Chancellor may examine the case of the petitioner in light of the cases of similarly situated Associate Professors who have already been granted the aforesaid reliefs.



3. Having regard to the facts and circumstances of the case, the present writ petition is disposed of with liberty to the petitioner to approach the Vice-Chancellor, B.N. Mandal University, Madhepura by filing an appropriate representation within a period of four weeks from today and the said authority shall dispose of the same by a reasoned and speaking order within a period of eight weeks thereafter.

(Mohit Kumar Shah, J)

rinkee/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.03.2019
Transmission Date	NA

