

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18977 of 2019

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1. Santosh Kumar, Son of Sri Yogendra Mishra, Resident of Village-Rikabganj, Tikari, P.S.-Tikari, District-Gaya.
 2. Manoj, Son of Keshav Prasad Singh, Resident of Village-Naruar, P.S.-Rohaniya, District-Varanasi (U.P.).
 3. Anil Kumar Thakur, Son of Nripendra Prasad Thakur, Resident of Village-Hulas, P.S.-Raghopur, District-Supaul.
 4. Sanjeev Kumar Ishwar, Son of Rambilash Ishwar, Resident of Village-Siuari, P.S.-Cheriya Briyarpur, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.
5. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Satyam Shivam Sundaram
For the Respondent/s : Mr.Awadhesh Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioners and the State and the University.

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

Learned counsel for the petitioners submits that the service of the petitioners have 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 petitioners by the University.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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