

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19693 of 2019

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Vivek Pathak Son of Shambhu Nath Pathak Resident of Village and P.O.-
Mahmada, P.S.- Varuraj Via Motipur, District- Muzaffarpur at present
Graduate Teacher in the subject of Literature in Janki Sanskrit Upshashtri
College, Narkatiyaganj, West Champaran.

... .. 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 Department of Education, Government 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. Janki Sanskrit Upshashtri College Narkatiyaganj, West Champaran through its Principal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Subash Chandra Mishra, S.C. 16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-09-2019 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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