

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23422 of 2019

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1. Ashok Kumar Jha Son of Sureshf Chandra Jha, Associate Professor, Department of Economics, R.M. College, Saharsa. Resident of Mohalla-Manas Nagar, Hatiyagachhi, Ward No. 32, P.S. and District- Saharsa.
 2. Lalit Narayan Mishra, Son of Vedanand Mishra, Associate Professor, Department of Economics, R.M. College, Saharsa. Resident of K.V.E. 03, Vastu Vihar, Baijnathpur, P.S. Sour Bazar, District- Saharsa.
 3. Renu Singh, wife of Onkar Nath Singh, Associate Professor, Department of Economics, R.M. College, Saharsa. Resident of Mohalla- Sant Nagar, ward No. 35, East of Hanuman Chowk, P.S. and District- Saharsa.
 4. Randhir Kumar Pandey, Son of Mishri Lal Pandey, Associate Professor, Department of Commerce, R.M. College, Saharsa. Resident of Village-Gandoul, Ward No. 09, P.S. Bihra, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. B.N. Mandal University, Madhepura through its Registrar.
3. The Vice- Chancellor, B.N. Mandal University, Madhepura.
4. The Registrar, B.N. Mandal University, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra, Adv.
For BHMU	:	Mrs. Vandana Kishor, Adv.
For the State	:	Mr.Prabhakar Jha, GP-22

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioners, learned counsel for the State and also learned counsel appearing for B.N. Mandal University, Madhepura.

Learned counsel appearing on behalf of petitioners submitted that in view of the report of S.C. Agrawal Commission respondent University vide notification dated 08.02.2005 absorbed the services of the petitioner no.1, Ashok



Kumar Jha with effect from 01.02.1982 and later on petitioner no.1 was promoted to the post of Associate Professor with effect from 12.12.1994 vide notification dated 18.01.2011. Similarly, petitioner no.2 Lalit Narayan Mishra was also absorbed with effect from 09.12.1983 vide notification dated 01.03.2006 issued by the respondent University and he was promoted to the post of Associate Professor with effect from 12.12.1994. Respondent No.3 Renu Singh was also absorbed vide notification dated 08.02.2005 with effect from 04.08.1985 and she was promoted to the Associate Professor with effect from 21.08.1995 vide notification dated 06.01.2011. Similarly, the services of petitioner no.4 Randhir Kumar Pandey was absorbed vide notification dated 08.02.2005 and he was promoted to the post of Associate Professor with effect from 06.11.1993 vide notification dated 06.01.2011 issued by the respondent University. Their salaries in view of their promotion as enhanced was not paid in between 2006-2010 while prior to 2006 and after 2010 they have already received salary as per their entitlement.

Considering the submission as made by the learned counsel for the petitioners, let this writ petition is disposed of with the direction to the respondent authority to examine the



claim of arrears of the petitioners and after calculating the same, ensure payment within a period of 90 days from the date of receipt/production of a copy of this order.

In case the University is facing difficulty in making payment on account of non-availability of the adequate fund, it shall raise a demand from the State Government which is required to provide appropriate fund to the University so that the arrears of the petitioners is paid within two months from the date of requisition by the University for release of additional fund in accordance with law.

(Rajendra Kumar Mishra, J)

Prakash Narayan /-

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