

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20736 of 2010

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ASHUTOSH KUMAR SHARAN S/O Late Bhagwati Sharan R/O In The
House Of Gulab Singh Chy. Opposite State Bank Of India, Bhabhua, P.S.-
Bhabhua, Distt.- Kaimur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Human Resources Development Dept. Higher
Education Govt. Of Bihar , Patna
3. Veer Kunwar Singh University , Ara Through Its Registrar
4. The Vice-Chancellor, Veer Kumar Singh University, Ara
5. The Registrar, Veer Kumar Singh University, Ara
6. The Secretary R.S. Degree College, Bhagwanpur, Kaimur
7. The Principal R.S. Degree College, Bhagwanpur, Kaimur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ Manu, Advocate
For the Respondent/s : Mr.Anjani Kr. Sharan SC-20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 14-02-2020 Heard learned counsel for the petitioner and the

State.

The petitioner has prayed for a direction to the
respondents with regard to payment of salary.

Definitely, the college in question, where the
petitioner is working, is affiliated college. For affiliated college,
the Court cannot issue any mandamus as it is the internal
arrangement and resources which is utilized for payment of
salary to the teachers engaged in affiliated colleges. The law in
this regard was settled long back by the apex Court in the cases



**of Sirsi Municipality vs. Cecelia Kom Francis Tellis :AIR
1973 SC 855 and Vaish Degree College v. Lakshmi Narain:
AIR 1976 SC 888.**

However, liberty shall be available to the petitioner to approach the competent Civil Court for appropriate declaration regarding payment of salary and pray for condonation of delay referring to the pendency of the writ application in this Court for the last 10 years.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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