

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Civil Writ Jurisdiction Case No.15140 of 2018**

Bijendra Sharma, son of Late Dashrath Singh, resident of At+P.O.- Bheldi,
P.S. - Garkha, District – Saran.

... .. Petitioner

Versus

1. The State Of Bihar through the Secretary, Higher Education Department, Government of Bihar, Patna.
2. The B.R.A.B. Bihar University, Muzaffarpur through its Registrar.
3. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
4. The Jai Prakash University, Chapra through its Registrar.
5. The Vice Chancellor, Jai Prakash University, Chapra.
6. The Principal Cum Profession Incharge, Rajendra College, Chapra.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Shashi Shekhar Tiwary, Advocate
For the Respondent/s	:	Mr.Subhash Chandra Mishra- SC16
		Mr. Mritunjay Kumar, Advocate
		Mr. Anil Singh, Advocate
		Mr. Vikas Ratan Bharti, Advocate
		Mr. Nagendra Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

8 03-09-2020 Heard learned counsel for the petitioner, learned counsel for the State, learned counsel for the B.R.A. Bihar University, Muzaffarpur and learned counsel for the Jai Prakash University, Chapra.

Learned counsel for the petitioner submits that since substantial compliances have already been made and now the only grievance of the petitioner has remained with respect to the deferred D.A. claim of the petitioner for the period prior to November, 1992 which is not being accepted by the University, this writ application may be disposed of giving liberty to the petitioner to make representation with regard to the said claim



with cogent material and the judicial pronouncements of the Hon'ble Supreme Court which have been referred in the pleadings on behalf of the petitioner.

Learned counsel for the petitioner has also submitted that there is some anomalies in the matter of fixation of his pay which he will also bring to the notice of the authorities concerned.

Learned counsel for the State and the Universities have no objection to the said submissions.

In the nature of the submissions made on behalf of the petitioner, this writ application is being disposed off with liberty to the petitioner to make a representation before the Registrar, J.P. University (respondent no. 4) within a period of eight weeks from today with regard to his claim for deferred D.A. for the period prior to 1992 and anomalies in the fixation of pay scale. This liberty is being granted without prejudice to the contention of the respondent University as stated in paragraph '6' of the supplementary counter affidavit filed on behalf of respondent no. 4 to 6. The respondent no. 4 to 6 shall consider the representation of the petitioner and shall communicate their reasoned order to the petitioner within a period of three weeks from the date of receipt of the representation. If upon



consideration the petitioner is found entitled for any arrears, the same shall also be paid within next two months. The grievance of the petitioner as regards fixation of pay scale shall also be considered within the aforesaid period.

This writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

