

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1421 of 2018

In
Civil Writ Jurisdiction Case No.16919 of 2017

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Shivnath Singh, Son of Sri Rameshwar Singh, resident of Mohalla- Bagha,
Police Station- Town Thana Sadar, Begusarai.

... .. Appellant/s

Versus

1. The State Of Bihar through the Commissioner-cum-Secretary, Department of Higher Education, Government of Bihar, Patna.
2. The Commissioner-cum- Secretary, Department of Higher Education, Government of Bihar, Patna.
3. The Lalit Narayan Mithila University through its Registrar, Kameshwar Nagar, Darbhanga.
4. The Vice Chancellor, L.N.Mithila University, Darbhanga.
5. The Registrar, L.N. Mithila University, Darbhanga.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rakesh Kumar Sharma, Advocate
For the Respondent/s : Mr.Shashi Shekhar Tiwary, Ac to AAG-15

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

4 04-02-2020 Heard learned counsel for the appellant and learned
counsel for the State.

A limited question has been raised in the present appeal that in paragraph 3, the learned Single Judge has shown suspicion with respect to the payment of salary during the strike period unless it is verified with respect to the work done by the appellant in actuality, but time frame has not been mentioned.

In such view of the matter, let the Principal Secretary,



Department of Human Education, Government of Bihar, Patna hold an enquiry as to whether the appellant has worked during strike period or not. If he has conducted the classes during strike period, certainly as per the Government Circular, he will be entitled for salary, but at the same time, if the finding goes other wise, in such circumstances, the appellant would not be entitled for any salary for the period of strike.

The entire exercise should be completed within a period of eight weeks from the date of receipt/production of a copy of this order.

However, it is made clear that the University would extend cooperation in the matter of completion of enquiry and the University would act as per the direction of the Principal Secretary.

This appeal stands disposed of with the aforesaid observations and directions.

(Shivaji Pandey, J)

(Anjani Kumar Sharan, J)

V.K.Pandey/-

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