

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4276 of 2021

Md. Kamalauddin Khan S/o Md. Zainuddin Khan, resident of Mohalla-D/40,
Arif Nagar, Gewal Bigha, P.S.-Rampur, District-Gaya.

... .. Petitioner/s

Versus

1. The Vice Chancellor, Magadh University, Bodhgaya, District-Gaya.
2. The Registrar, Magadh University, Bodhgaya, District-Gaya.
3. The Financial Advisor, Magadh University, Bodhgaya, District-Gaya.
4. The Finance (Accounts) Officer, Magadh University, Bodhgaya, District-Gaya.
5. The University Engineer, Magadh University, Bodhgaya, District-Gaya.
6. The Principal, Gaya College, Gaya, P.S.-Rampur, District-Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate
For the Respondent/s : Mr. Ritesh Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That this writ application is being file in the nature of writ of mandamus directing the respondent authority to pay the dues of the petitioner at Rs. 18, 47,450/- with 9% interest per annum for construction of IInd Floor on A.R. Kidwai Bhawan (For I.T & Bio Tech Course) at Gaya College, Gaya and for issuance any appropriate writ or writs, order or orders, direction or directions as your lordships may deem fit and proper.



After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the petitioner's representation, which he shall be filing within a period of four weeks from today, before the appropriate authority.

Learned counsel for the respondents states that the petitioner's representation, if filed within a period of four weeks from today, before the appropriate authority, shall be positively considered and decided expeditiously and preferably within a period of two months from the date of filing of the representation along with a copy of this order before the authority concerned.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall make himself available in the office of Respondent No. 6 namely the Principal, Gaya College, Gaya on 10th of January, 2022 and file a representation along with a copy of this order;

(b) The said respondent shall consider and dispose of



the petitioner's representation expeditiously by a reasoned and speaking order preferably within a period of two months from the date of appearance of the petitioner before him along with a copy of this order;

(c) Needless to add, while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Also, the reasoned and speaking order passed by the appropriate authority shall be supplied to the parties;

(e) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(f) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(g) Liberty reserved to the petitioner to challenge the order before the appropriate forum, should the need so rise subsequently;

(h) We have not expressed any opinion on merits. All issues are left open;

The petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	22.12.2021
Transmission Date	

