

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.376 of 2019

In

Civil Writ Jurisdiction Case No.15211 of 2012

Dr. Suresh Pd. Yadav, son of Sri Singheswari Prasad, resident of Mohalla-Lalapatti, P.O.- Gehumani, Via and P.S.- Singheshwar, District- Madhepura, at Present residing at Professor Colony, Ward No.-4, Shree Niwas, P.O. Madhepura, P.S. Madhepura, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary namely Mr. R.K. Mahajan, Higher Education, Education Department ,Bihar, Patna
2. Dr. (Mrs) Rekha Kumari, the Director, High Education, Education Department, Government of Bihar, Patn, Bihar
3. Mr. S. Siddarth, Principal Secretary, Finance Department, Government of Bihar, Patna, Bihar
4. Prof.(Dr.) Awadh Kishore Roy, the Vice-Chancellor, B.N Mandal University , Madhepura
5. Mr. Neeraj Kumar, the Registrar, B.N. Mandal University, Madhepura
6. Dr. Maya Sharan Pathak, the Finance Officer, B.N. Mandal University, Madhepura
7. Dr. Jainandan Prasad Yadav, the Principal, K.P College, Murligamj, District-Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
For the University	:	Mr.P.N. Sahi, Sr. Advocate
		Mr. Raju Giri, Advocate
For the State	:	Mr. AC to AAG-15)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

9 23-02-2021 A show cause has been filed on behalf of the University enclosing a cheque of Rs. 39,70,059/- and the details of which has been explained in paragraph nos. 8 and 9 of the show cause.

Mr. Uday Chand Prasad, learned counsel for the



petitioner submits that the cheque has been issued in favour of K.P. College, Murliganj instead of the petitioner.

Mr. P.N. Sahi, learned senior advocate for the University submits that University used to make payment through the college and there is no illegality in issuing cheque in the name of the college for payment to the petitioner.

Considering the aforesaid, the show-caused filed on behalf of opposite parties No. 4 to 7 is accepted.

In the event, the petitioner fails to get the payment within a period of one month on receipt/production of a copy of this order, the payment would carry interest at the rate of 9 percent per annum which shall be paid by the Principal of the college from his own fund.

If the petitioner has any grievance with regard to the calculation, he may approach the appropriate authority for redressal of such grievance.



Adverting to the issue raised by the University that State Government has not provided fund for compliance of the directions of this Court, the Court hopes and trusts that the State Government shall provide appropriate fund to the University for compliance to the directions issued by this Court.

In view of the show-caused filed by the University, the proceedings against the University is dropped.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Anil Kumar Upadhyay, J)

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