

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 21918 of 2019

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Dharmendra Tiwari son of Sri Ram Tiwari, resident of village-
Musahri, P.S. Musahri, District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary,
Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education,
Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar,
Patna.
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit
University, Darbhanga.
5. The Vice Chancellor, Kameshwar Singh Darbhanga
Sanskrit University, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Prem Sheela Pandey, Adv.

For the Respondent/s : Mr. Subhash Chandra Mishra, SC-16

For the University : Mr. Gyanand Roy, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

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24-09-2021

The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed for directing the



to take necessary steps for

payment of current as well as arrears of salary to the petitioner, who has been appointed on the post of lecturer on 29.10.2012, by the Governing Body of Rudra Sanskrit College, Hulash, Supaul, which falls under the Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.

The learned counsel for the University, Shri Gyanand Roy, has submitted that the funds are required to be made available by the State Government and only then the payment can be made.

Per contra, the learned counsel for the Respondent State, Shri Subhash Chandra Mishra, SC-16 submits that the Respondent State has already written to the Respondent University, vide letter dated 27.11.2019, requesting the Registrar of the said University to submit a report in connection with the appointment of the petitioner, more particularly as to whether the appointment has been made after following the relevant rules/ statutes or not and whether the petitioner is entitled to receive the salary or not, however, the Respondent University is yet to respond.

At this stage, the learned counsel for the respondent University submits that the University would definitely furnish all the details to the State Government, hence the State Government be directed to release the funds.



Having regard to the facts and circumstances of the case, the respondent University is directed to respond to the aforesaid letter of the Respondent State by furnishing the requisite information pertaining to the petitioner within a period of four weeks from today, whereupon the Respondent authorities in the Education Department shall take appropriate steps for releasing the salary of the petitioner, in accordance with law, within a period of eight weeks, thereafter.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

Tiwary/-

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