

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8394 of 2018

1. Rajaram Singh and Ors Son of Shri Rampati Singh Village- Karan, P.O. Pochpokhari, P.S. Baghaila Nokha, District- Rohtas.
2. Jalendra Singh Son of late Ramcharitra Sinigh Resident of Village- Dhankadha, P.O. Dhavdadh, P.S. Sasaram, District- Rohtas.
3. Keshaw Roy Son of late Ramvilash Roy Resident of Village- Bharkhar, P.O. and P.S.-Mohania, District- Kaimur Bhabhua.
4. Jyotish Narayan Singh Son of late Ramgahan Singh Resident of Village- Lalganj, P.O. P.S. Sasaram, District- Rohtas.
5. Subedar Singh Son of late Shivdhari Singh Resident of Village- Ubadhi, P.O. Kaniyari, P.S. Badahari, District- Rohtas.
6. Anil Kumar Singh Son of late Ram Sihasan Singh Resident of Village- Pipari, P.O. Chori, P.S. Karaghar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. Veer Kunwar Singh University, Ara through its Registrar.
3. The Vice - Chancellor, Veer Kunwar Singh University, Ara
4. The Registrar, Veer Kunwar Singh University, Ara
5. The Principal, Sher Shah College, Sasaram, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava, Adv.
For the Respondent/s : Mr. Pramod Kumar Singh, AC to SC 16

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 28-03-2022 The case is being taken up from defect side.

Learned counsel for the petitioners is directed to submit the original petition along with attested affidavits and also remove the defects pointed out by the Registry within two weeks from today.

Both the counsels are in agreement that the case is



covered by judgment passed by coordinate Bench in the case of Keshaw Rai Vrs. the State of Bihar, in C.W.J.C. No. 6381/2018 decided on 12.04.2018.

Learned counsel for the petitioners submits that so far as the petitioner no.2 to 6 are concerned, he does not press the writ petition as they have already been granted relief. As regards the petitioner no.1 is concerned, part of the payment has been made and he prays that the directions issued by the coordinate Bench in the case of Keshaw Rai (supra) be applied on him too.

I have considered the submissions.

In the case of Keshaw Rai Vrs. The State of Bihar, this court passed an order :-

“5. In case, the respondent University is facing financial constrained in paying dues to the petitioner, liberty shall be available to the University to raise demand from the State Government for allocation of additional fund by enclosing the utilization certificate of the fund earlier received by the University. In case, such request is made by the University, the State is required to provide additional fund for payment of petitioner and similarly circumstanced other teaching and non-teaching staff absorbed in the service of the University in terms of Rule 4 (1) (14) of the Bihar Universities Act pursuant to the decision of the Mahasangh case (supra).



The same direction shall apply mutatis mutandis against him.

The writ petition of petitioner no.1 is allowed as above. Writ petition of petitioner no.2 to 6 is declared infructuous.

(Sanjeev Prakash Sharma, J)

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