

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15902 of 2021

=====

Surendra Kumar Singh, Son of Late Ram, Avatar Singh, resident of
Village/Mohalla - Katari, Bajranbali More, P.S.- Chandauti, District- Gaya,
Bihar.

... .. Petitioner/s

Versus

1. Magadh University, Bodhgaya Gaya through its Vice Chancellor.
2. The Vice Chancellor, Magadh University, Bodhgaya, Gaya.
3. The Registrar, Magadh University, Bodhgaya, Gaya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh, 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)

=====

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

=====

Date : 20-01-2022

The petitioner has prayed for the following relief/s :-



- I. For issuance of an appropriate writ or writs, order or orders, direction or directions to the respondents particularly respondent to expeditiously and in time bound manner pay the entire dues, along with statutory interest, to the petitioner in respect of the works done by the petitioner at chemistry department of the Magadh University in compliance of Agreement no. 21/2015-16 and also of oral orders of the respondents in continuation thereof. And
- II. Further for direction to the respondents to consider petitioner's representation/s in respect of his claims in respect of his dues arising out of Agreement no. 21/2015-16 and also of oral orders of the respondents in continuation thereof. and/or
- III. for any other relief or reliefs to which the petitioner may be found entitled to in course of hearing of this writ application.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that though petitioner's representation is pending but he will file a fresh representation inviting attention of the authorities of the issues subject matter of the present *lis* and he shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing afresh within a period of four weeks from today.



Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

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

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The said authority shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

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

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

(e) 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;

(f) Liberty reserved to the petitioner to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

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

(h) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

