

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.22269 of 2018**

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Chandramauli Prasad Singh S/o Late Mathura Singh, R/o Mohalla Ward  
No.16 near Durga Asthan, Sahkarwar Tola, Mokama, Police Station-  
Mokama, district- Patna

... .. Petitioner/s

Versus

1. The Magadh University Through Its Vice Chancellor Bodh Gaya and Ors
2. The Vice Chancellor, Magadh University, Bodh Gaya, Gaya
3. The Registrar, Magadh University, Bodh Gaya, Gaya
4. The Finance Offier, Magadh University, Bodh Gaya, Gaya
5. The Principal, R.R.S College, Mokamma, Patna.
6. Accountant, R.R.S College , Mokamma, Patna
7. The State of Bihar through the Secretary, Education Department, Patna.

... .. Respondent/s

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Appearance :

|                      |   |                                      |
|----------------------|---|--------------------------------------|
| For the Petitioner/s | : | Mr.Mukesh Kumar, Advocate            |
| For the State        | : | Mr. Subhash Chandra Mishra, S.C.-16. |
| For the University   | : | Mr. Sunit Kumar, Advocate            |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

6      20-04-2023                      Heard Mr. Mukesh Kumar, learned counsel for the  
  
petitioner, Mr. Subhash Chandra Mishra, learned counsel for the  
  
State as well as Mr. Sunit Kumar, learned counsel for the  
  
University.

2. Petitioner has brought on record by way of  
Annexure-7 to the writ petition, the certificate issued by the  
Principal of the institution namely, RRS College, Mokama  
regarding arrears of claim of which the statement relates to the  
year 1982 till 2014.

3. It is informed by the learned counsel appearing on



behalf of the Magadh University that the figures which has been brought on record by the petitioner relates to the period before reorganization of the Magadh University into Patliputra University and after that the colleges of the petitioner comes under the Paltiputra University. In this background he submits that the Magadh University has no jurisdiction over the employees/teachers of the colleges falling under Patliputra University.

4. Mr. Subhash Chandra Mishra, learned counsel appearing on behalf of State informs this Court that the State Government has already sanctioned the entire amount relating to the dues at the relevant point of time and it is the University which has delayed in making payment of admissible dues which is claimed by the petitioner.

5. Records reveals that the non-payment is at the end of the college. Annexure 'F' to the counter affidavit filed on behalf of the Magadh University is specific in that regard. As back in the year 2019, the entire amount was sanctioned, however, the detail of amount which were disbursed to the college prior to 2019 is not on record. It is admitted fact that the petitioner retired in the year 2014 from the college and has been forced to file the present writ petition for payment of the dues.



6. Considering the fact that the State Government has already sanctioned the required amount payable to the petitioner to the Magadh University, the Registrar Magadh University is directed to verify from the records at its own end and communicate to the Patliputra University with respect to the details of the funds credited to the account of the college, namely, Ram Ratan Mishra College from time to time and explain reasons, as to why, the petitioner who had already superannuated in the year 2014 was not paid his legitimate dues as claimed in the present writ petition at the relevant point of time when the college was still under Magadh University.

7. The Vice-Chancellor of the Magadh University who was holding the office of the relevant times seems to have intentionally not made payment of the retiral dues to the petitioner. He is also responsible for having jurisdiction at the relevant time to transmit the record relating to the present writ petition to the patliputra University after it came into existence.

8. The Vice-Chancellor of the Magadh University is liable to make payment of the retiral dues within three weeks as claimed by the petitioner, who had retired on 01.02.2014 while working as night guard. The University of Patliputra came into existence in the year 2018.



9. The Vice-Chancellor of the Patliputra University has not been made party to this writ petition as he has no role to play with respect to payment of retiral dues to the petitioner.

10. With the aforesaid observation and direction, this writ petition is disposed of.

**(Purnendu Singh, J)**

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