

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14974 of 2015

Dr. Ram Chandra Yadav

... .. Petitioner/s

Versus

The Rajendra Agricultural University and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anand Kumar Ojha
For the Respondent/s	:	Mr. Chandra Mohan Singh, Adv. Mr. Arvind Ujjwal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-01-2023 Heard both the parties.

2. Penal rent for the official accommodation allotted to the petitioner has been charged by the Rajendra Agricultural University, Pusa w.e.f. 13.11.2013 to March, 2014.

3. Mr. Anand Kumar Ojha, learned counsel appearing for the petitioner submits that by Annexure-1 i.e. office order dated 26.11.2009, petitioner was assigned the additional charge of Associate Dean-cum-Principal at Madan Bharti Agriculture College, Agwanpur, Saharsa pursuant to the retirement of Dr. D. N. Chaudhary. The petitioner was working as university Professor-cum-Chief Scientist (Soil Science) at Tirhut College of Agriculture, Dholi, Muzaffarpur.

4. In the year 2010, the bifurcation of Rajendra Agricultural University, Pusa took place and two agricultural



universities were created under Section 46 (4) of the Bihar Agricultural University Act, 2010 i.e. one Rajendra Agricultural University, Pusa and second Bihar Agricultural University having its headquarters at Sabour. Option was invited from the employees seeking their choice to render services in two of the universities. The petitioner exercised his option in 30.08.2010 and opted Rajendra Agricultural Universities, Pusa.

5. The petitioner was sanguine that he will be allotted Rajendra Agricultural Universities, Pusa. Accordingly, he continued in the accommodation granted to him by Rajendra Agricultural University, Pusa.

6. Learned counsel next submits that the petitioner filed several representations before the Vice Chancellor which are at Annexure 2 to 6 requesting for transfer of the petitioner from Madan Bharti Agriculture College, Agwanpur, Saharsa to his original place of posting at Tirhut College of Agriculture, Dholi, Muzaffarpur. But no order was passed and suddenly penal rent was demanded from the petitioner w.e.f. 13.11.2013 to March, 2014, which comes to Rs. 15,58,686/- (Fifteen Lacs fifty eight thousand six hundred and eighty six). The petitioner has retired and entire amount of penal rent has been adjusted from his salary.



7. The learned counsel further submits that detailed representation dated 10th June, 2015 at Annexure-13 was filed by the petitioner before the Vice Chancellor, Rajendra Agricultural University, Pusa, but the same has been rejected by one-line order dated 23.07.2015 which has been challenged in this writ application.

8. Learned counsel further submits that learned Vice Chancellor has not taken into consideration the points raised by the petitioner in his representation and passed a cryptic and non-speaking order which is not sustainable in the eyes of law.

9. Having heard learned counsel for the petitioner and learned counsel appearing for Rajendra Agricultural University and upon perusal of the impugned order, this Court is satisfied that the order disposing representation of the petitioner is cryptic and non-speaking. In my opinion, the same is antithesis to rule of law.

10. Accordingly, the impugned order dated 23.07.2015 is set aside and the matter is remanded back to the Vice Chancellor to pass a fresh order on the representation of the petitioner (Annexure-13 dated 10th June, 2015).

11. It is made clear that the disposal of the representation by the Vice Chancellor shall be by a reasoned and



speaking order.

12. With the above observations and direction, this writ petition stands disposed of.

(Anil Kumar Sinha, J)

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