

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9871 of 2021**

=====

Lalli Prasad Singh, Son of Late Harihar Prasad Singh, resident of Mohalla-Takiya Bazar, P.S.-Sasaram (M), District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Veer Kunwar Singh University, through its Registrar, Ara, P.S.-Ara, District-Bhojpur.
3. The Registrar, Veer Kunwar Singh University, Ara, P.S.-Ara, District Bhojpur.
4. The Committee of Jagjeevan College, through its President, Dehri-on-Sone, P.S.-Dehri, District-Rohtas.
5. The President, Jagjeevan College, Dehri-on-Sone, P.S.-Dehri, District-Rohtas.
6. The Secretary, Jagjeevan College, Dehri-on-Sone, P.S.-Dehri, District-Rohtas.
7. The University Representative, Jagjeevan College, Dehri-on-Sone, P.S.-Dehri, District-Rohtas.
8. The Principal, Jagjeevan College, Dehri-on-Sone, P.S.-Dehri, District-Rohtas.

... .. Respondent/s

=====

**Appearance :**

|                      |   |                                                                                            |
|----------------------|---|--------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Sudama Singh, Adv. with<br>Mr. Surendra Kumar Mishra, Adv. and<br>Mr. Shashikant, Adv. |
| For the V.K.S.U      | : | Mr. Mr. Ritesh Kumar, Adv.                                                                 |
| For the State        | : | Mr. Pramod Kumar Singh, (A.C. to S.C.16)                                                   |

=====

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

4      09-01-2023                      Heard learned counsel for the petitioner, counsel for the University and counsel for the State.

The petitioner seeks his grievances in the form of issuance of writ of mandamus or commanding the respondent to make payment of retiral dues and arrear salary of the petitioner

within the stipulated period.

Counsel for the petitioner further submits that the petitioner has joined the service on the post of Cashier-Cum-Accountant in Jagjeewan College, Dehri-On-Sone on 02.02.1981 and retired from service on 30.03.2015.

Counsel submits that the Government of Bihar has provided Grant-in-aid to the college time to time but it was not utilized properly by the Governing Body and the Principal of the College. It has also been alleged that the Governing Body and the Principal of the College have not made payment to the employees who are rightfully entitled for payment and in this regard, they have also ignored the petitioner.

With the said discrimination, the present writ petition has been filed.

Counsel for the University submits that it is not a matter which is covered under the permanent service rather petitioner has the grievances against the Governing Body and the Principal of the College. University has nothing to do about the distribution of money in the Grant-of-aid provided by the State Government.

Counsel for the State has filed a counter affidavit in paragraph 9. It has been categorically submitted that dispute in the present case is between the petitioner and the Governing

Body of the College. It has been further submitted that the State Government vide notification contained in Memo No. 972 dated 19.05.2015 has notified the Rule, namely, ***“Bihar Grant-in-aid Educational Institutions Authority Rule, 2015”*** in exercise of the power conferred under Article 162 of the Constitution of India.

According to the State, the grievances of the petitioner could be resolved as per Rule 4 before the authority constituted under the said Rule. The said authority is the Chairperson of the State Appellate Authority, Niyogan Bhawan, Patna.

In this view of the matter, counsel for the petitioner seeks permission to withdraw the present writ petition.

Permission granted to withdraw the writ petition with liberty to take recourse before the Rule as indicated in the counter affidavit filed by the State.

With the aforesaid direction, the writ application stands disposed off.

**(Dr. Anshuman, J.)**

sadique/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|