

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12031 of 2021

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Lakshmeshwar Jha, Son of Late Kameshwar Jha Resident of Village and P.O.-
Bangaon (East of Durgasthan), P.S.- Bangaon, District- Saharsa, retired Clerk,
Goswami Laxminath Madsudan Sanskrit College, Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Higher Education Department, Government of Bihar, Patna.
2. The Kameshwar Singh Darbhanga Sanskrit University Through its Registrar, Kameshwar Nagar, Darbhanga.
3. The Vice- Chancellor Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The Registrar Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chitranjan Sinha, Sr. Advocate Mr. Pramod Mishra, Advocate
For the University	:	Mr. Deepak Kumar, Advocate
For the State	:	Ms. Abhanjali, AC to GA12

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 06-07-2023

Heard Mr. Chitranjan Sinha, learned senior counsel
along with Mr. Pramod Mishra, learned counsel appearing on
behalf of the petitioner; Mr. Deepak Kumar, learned counsel
appearing on behalf of the University and Ms. Abhanjali,
learned AC to GA-12 appearing on behalf of the State.

2. Learned counsel appearing on behalf of the
petitioner submits that petitioner had been denied pensionary
benefit in spite of the fact that the petitioner was appointed in



the year 1977 on the post of Clerk in Goswami Laxminath Madsudan Sanskrit College, Bangaon, Saharsa. The petitioner superannuated from the service on 31.01.2018. Learned counsel further submits that petitioner has been denied due salary from 2014 till the date of retirement by the University. Learned counsel further submits that petitioner is entitled for payment of salary from 2014 till his date of retirement in terms of letter dated 27.02.2022 contained in Annexure-5 to the writ petition.

3. Learned counsel in above backgrounds seeks to file a detailed representation before the Vice Chancellor-respondent no. 3. The Vice Chancellor of the University, if finds it proper, may communicate to the Additional Chief Secretary, Education Department, Government of Bihar with respect to the entitlement of the petitioner for payment of due salary for the period claimed by the petitioner.

4. Learned counsel appearing on behalf of the University submits that the college of the petitioner was given temporary affiliation from the inception of the college till 2014, and thereafter, it was being extended up to 2014. After 2014, the affiliation of the said college was not extended.

5. Considering the fact that the petitioner has claimed that he has performed his duties without any break, the Vice



Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga (respondent no. 3) must dispose of the representation after giving proper opportunity of hearing and on the consideration of the records relating to the petitioner pass final order in terms of the Judgment/Order relied by the petitioners. In case, it is found that in case of the any similarly situated employee, payments have been made, the petitioner must be given the same benefit forthwith.

6. The representation of the petitioner is directed to be considered and disposed of in accordance with law and payments if admissible be payed along with the statutory interest on account of delay payment within six weeks.

7. With the above observations and directions the present writ petition stands disposed of.

(Purnendu Singh, J)

Manish/-
Minu/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.07.2023
Transmission Date	

