

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1484 of 2023

=====

Bighnesh Jha Son of Late Ramesh Jha, Resident of Village- Gangauli, P.S.-
Pandauly, District- Madhubani.

... .. 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 (hereinafter referred as (K.S.D.S.U.)).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Sri Ram Prakash Sanskrit Mahavidyalaya, Patepur, District- Vaishali.
7. The Principal, Sri Ram Prakash Sanskrit Mahavidyalaya, Patepur, District- Vaishali.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14376 of 2022

=====

Sajjan Mishra Son of Late Rajkeshwar Mishra, Resident of Village-
Kothwara, P.S.- Dhovi, District- Gaya.

... .. 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, The Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The Registrar, The Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, The Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Sanskrit Upshashtri Mahavidyalaya, Hardawan, Gaya.
7. The Principal, Sanskrit Upshashtri Mahavidyalaya, Hardawan, Gaya.



... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14380 of 2022

Mahendra Pathak Son of Late Shyam Lal Pathak, Resident of Village - Marut,
P.S.- Dhovi, District- Gaya.

... .. 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 (hereinafter referred as K.S.D.S.U.)
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing body of Sanskrit Up-Shashtri Mahavidyalaya, Hardawan, Gaya.
7. The Principal, Sanskrit Up-Shashtri Mahavidyalaya, Hardawan, Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14387 of 2022

Ramesh Prasad Son of Late Matukdhari Prasad, At present residing at
Hanuman Nagar, East of Town Block, P.S.- Gaya, District- Gaya.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Sanskrit Upshashtri Mahavidyalaya, Hardawan, Gaya.



7. The Principal, Sanskrit Upshashtri Mahavidyalaya, Hardawan, Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14532 of 2022

Surya Dev Narayan Dubey Son of Late Ram Chandra Dubey, Resident of Village- Mananpur, P.S.- Govindganj, District- East Champaran.

... .. 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. (hereinafter referred as K.S.D.S.U.)
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Rishi Kulashram Sanskrit Mahavidyalaya, Sangrampur, West Champaran.
7. The Principal, Rishi Kulashram Sanskrit Mahavidyalaya, Sangrampur, West Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14566 of 2022

Jagdish Prasad Rai son Gaya Rai, Resident of G/5, Sitaram Palace, Kaliket Nagar, P.S. Rupaspur, District Patna.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga.



6. The Governing Body of Dev Bharti Sanskrit Up-Shashtri Mahavidyalaya, Devnagar, Uchchirama, Gaya.
7. The Principal, Dev Bharti Sanskrit Up-Shashtri Mahavidyalaya, Devnagar, Uchchirama, Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14570 of 2022

Ram Kumar Thakur Son of Late Baiju Thakur, Resident of Village- Mahanth Maniyari, P.S.- Maniyari, District- Muzaffarpur.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing body of Darshan Sanskrit Up-Shashtri Mahavidyalaya, Maniyari, Muzaffarpur.
7. The Principal, Darshan Sanskrit Up-Shashrti Mahavidyalaya, Maniyari, Muzaffarpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14579 of 2022

Ramanand Ray Son of Late Jayram Ray, Resident of Village - Dharha, P.S. - Rosera, District - Samastipur, Pin - 848210.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, 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.
6. The Governing Body, Sanskrit College Rosera.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14585 of 2022

Umesh Chandra Mishra Son of Late Chitranjan Mishra, Resident of Village-
Batho, P.S.- Bahera, District- Darbhanga.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Darshan Sanskrit Up- Shashtri Mahavidyalaya, Maniyari, Muzaffarpur.
7. The Principal, Darshan Sanskrit Up- Shashtri Mahavidyalaya, Maniyari, Muzaffarpur.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14612 of 2022

Harendra Choudhary Son Late Brahmdeo Choudhary, Resident of Village-
Chahuta, P.S.-Bisfi, District-Madhubani.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Juthalal Sanskrit Mahavidyalaya, Majhauiliya, West Champaran.
7. The Principal, Juthalal Sanskrit Mahavidyalaya, Majhauiliya, West Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14650 of 2022

Kanhai Mishra Son of Late Hari Kant Mishra, Resident of Village- Haripur, P.S.- Darbhanga Sadar, District- Darbhanga.

... .. 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. (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Up-Shastri Sanskrit Mahavidyalaya, Pindaruch, Darbhanga.
7. The Principal, Up-Shastri Sanskrit Mahavidyalaya, Pindaruch, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14698 of 2022

Satya Narayan Roy Son Late Suraj Roy, Resident of Mohalla-Bhatiyari Sarai, P.S.-Laheriasarai, District-Darbhang.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Up-Sashtri Sanskrit College, Pindaruch, Darbhanga.
7. The Principal, Up-Sashtri Sanskrit College, Pindaruch, Darbhanga.

... .. Respondent/s

=====

with

Civil Writ Jurisdiction Case No. 14852 of 2022

=====

Dr. Pawan Kumar Mishra son of Late Baidyanath Mishra, Resident of Village- Bhuidhara, Police Station- Samastipur, District- Samastipur, Pin- 848101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, 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.
6. The Governing Body, Sri Ram Prakash Sanskrit Mahavidyalay, Patepur, Vaishali, District- Samastipur.

... .. Respondent/s

=====

with

Civil Writ Jurisdiction Case No. 14931 of 2022

=====

Ravindra Nath Tiwari son of Late Sampat Kumar Tiwari, Resident of Village- Bhagawati Nagar, Bettiah, P.S.-Bettiah, District-West Champaran.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governding Body of Rishi Kulasharam Sanskrit Uchchatar Madhyamik Vidyalaya, Sangrampur, East Champaran.
7. The Principal, Rishi Kulasharam Sanskrit Uchchatar Madhyamik Vidyalaya, Sangrampur, East Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14942 of 2022

Mosmat Laxmi Devi Wife of Late Kamal Nayan Sharma, Resident of Village- Sri Krishna Nagar Ahri, P.S.- Daudnagar, District- Aurangabad.

... .. 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 it's 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Deo Bharti Sanskrit Up Shastri Mahavidyalaya, Deonagar, Uchchirma, District- Gaya.
7. The Principal, Deo Bharti Sanskrit Up Shastri Mahavidyalaya, Deonagar, Uchchirma, District- Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 15048 of 2022

Vijay Ram Son of Late Jugeshwar Ram, Resident of Village- Kasturipur, P.S.- Khudwa, District- Aurangabad.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Deo Bharti Sanskrit Up Shastri Mahavidyalaya, Deonagar, Uchchirma, District- Gaya.
7. The Principal, Deo Bharti Sanskrit Up Shastri Mahavidyalaya, Deonagar, Uchchirma, District- Gaya.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16455 of 2022

Om Prakash Mishra Son of Late Raghubir Mishra, Resident of Village- Ijra, P.S.- Sangrampur, District- Motihari, East Champaran.

... .. 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 (hereinafter referred as K.S.D.S.U.).
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Governing Body of Rishi Kulashram Sanskrit Mahavidyalaya, Sangrampur, West Champaran.
7. The Principal, Rishi Kulashram Sanskrit Mahavidyalaya, Sangrampur, West Champaran.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 1484 of 2023)

For the Petitioner/s : Mr.Kripa Nand Jha, Advocate

For the Respondent/s : Mr.Kameshwar Kumar (GP 17)

(In Civil Writ Jurisdiction Case No. 14376 of 2022)

For the Petitioner/s : Mr.Kripa Rash Jha, Advocate



For the Respondent/s : Mr.Subhash Kumar Mishra (SC 16)
Mr.Pramod Kumar Singh, AC to SC 16
(In Civil Writ Jurisdiction Case No. 14380 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Madhaw Pd. Yadaw (GP 23)
(In Civil Writ Jurisdiction Case No. 14387 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Jitendra Kumar Roy 1 (SC 13)
(In Civil Writ Jurisdiction Case No. 14532 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Kameshwar Kumar (GP 17)
(In Civil Writ Jurisdiction Case No. 14566 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Madhaw Pd. Yadaw (GP 23)
(In Civil Writ Jurisdiction Case No. 14570 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Madhaw Pd. Yadaw (GP23)
(In Civil Writ Jurisdiction Case No. 14579 of 2022)
For the Petitioner/s : Ms.Sushmita Kumari, Advocate
For the Respondent/s : Mr.Kameshwar Kumar (GP17)
(In Civil Writ Jurisdiction Case No. 14585 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Jitendra Kr. Roy 1 (SC13)
(In Civil Writ Jurisdiction Case No. 14612 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Prabhakar Jha (GP 27)
(In Civil Writ Jurisdiction Case No. 14650 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Madanjeet Kumar (GP 20)
(In Civil Writ Jurisdiction Case No. 14698 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Subhash Chandra Mishra (SC 16)
(In Civil Writ Jurisdiction Case No. 14852 of 2022)
For the Petitioner/s : Mr.Ashok Kumar Choudhary
For the Respondent/s : Mr.Subhash Chandra Mishra (Sc 16)
(In Civil Writ Jurisdiction Case No. 14931 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Smt. Binita Singh (SC 28)
(In Civil Writ Jurisdiction Case No. 14942 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Kameshwar Kumar (GP 17)
(In Civil Writ Jurisdiction Case No. 15048 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Madan Jeet Kumar (GP 20)
(In Civil Writ Jurisdiction Case No. 16455 of 2022)
For the Petitioner/s : Mr.Kripa Nand Jha, Advocate
For the Respondent/s : Mr.Prabhakar Jha (GP 27)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 08-05-2023



Learned counsel appearing on behalf of the petitioners informs this Court that the petitioners have already represented before the Registrar of the University and the only delay in making payment is being caused by the Registrar of the University.

2. Learned counsel further informs this Court that in the case of **Dr. Jitendra Narayan Singh Vs. The Hon'ble Chancellor of Universities of Bihar** (bearing CWJC No.9726 of 2017), the Hon'ble Division Bench of this Court has passed *inter alia* following orders/directions : -

“We find force in the submissions of learned counsel for the petitioners. On the face of it the resolution dated 18.10.1976 (Annexure-1 to the writ application) does not prescribe minimum number of students in each year of Shastri course as 60 which is now the contention of the State. Fallacy in the argument of the State writ large when we find that the minimum number of students prescribed in the resolution is 60 as a whole and not part-wise. This fact has been taken note of by the learned writ Court in its judgment as contained in Annexure-2 to the writ application. In the said case the Hon'ble Writ Court specifically considered and held that the resolution no.2261 dated 18.10.1976 minimum number of students at Shastri level i.e. graduate level was mentioned as 60. The Court proceeded to consider whether relevant part of the said resolution no.2261 dated 18.10.1976 stand repealed and what will be the consequence of such repeal, but after going through the arguments advanced on behalf of the parties the learned Writ Court held in paragraph 11 of the judgment as under:-

“From conjoint reading of the abovementioned condition relating to the minimum number of students in different categories of schools/college I have no manner of doubt that the number refers to the students on



rolls of the schools/college, as the case may be, in the particular class, and not the number of students actually appearing at the examination. There is no ambiguity in the aforesaid resolution of the government that the basis of student strength is the number of students on rolls of the schools/college, I fail to understand as to how any stand which is not in conformity with the resolution, can be taken or made basis of the impugned decision.”

3. Learned counsel appearing on behalf of the University informs this Court that immediate steps will be taken by the Registrar of the University to disburse all the dues as claimed by the petitioners within a period of six weeks.

4. Considering the extra submissions made by the parties, in view of the admitted fact that the petitioners have filed detailed representation before the Registrar of the University along with order dated 23.07.2018 passed in CWJC no.9726 of 2017 (*supra*), the Vice Chancellor must ensure that the Registrar of the University takes steps for making payment of the retiral dues, pension and applicable interest on account of delayed payment to the petitioner within a period of six weeks.

5. At this stage, the learned counsel appearing on behalf of the University informs this Court that the University is stressed due to non-availability of fund and if it is true, the Vice Chancellor and the Registrar of the University should personally approach the Additional Chief Secretary, Higher Education Department,



Government of Bihar, who will at least ensure disbursal of fund, which is required by the University for the payment to be made to the petitioner.

6. There shall be no order as to costs.

7. With the above observation/direction, the present writ petitions are disposed of.

(Purnendu Singh, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	09.05.2023
Transmission Date	09.05.2023

