

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17253 of 2022

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Dinesh Jha Son of Late Mahavir Jha Resident of Village- Lahta, P.O.- Lahta,
P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar,
Darbhanga through its Registrar.
2. Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar
Nagar, Darbhanga.
4. The State of Bihar, through Additional Chief Secretary, (Higher Education)
Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary, Department of Education, Government of Bihar,
Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17352 of 2022

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Bishwambhar Jha Son of Late Tej Narayan Jha, Resident of Ward No. 08,
Mahrail, P.S. Rudrapur, District- Madhubani.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar,
Darbhanga through its Registrar.
2. Vice-Chancellor, Kameshwar Singh Darbhanga University, Darbhanga.
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar
Nagar, Darbhanga.
4. The State of Bihar through Additional Chief Secretary, (Higher Education)
Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary (Higher Education), Department of Education,
Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17416 of 2022

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Madan Jha Son of Late Jay Dev Jha Resident of Village-Mahinathpur, P.S.
Bhairav Asthan, District-Madhubani.

... .. Petitioner/s



Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, darbhanga through its Registrar.
2. Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The State of Bihar through Addditional Chief Secretary, (High Education) Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary (Higher Education), Department of Education, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 17903 of 2022

Nitya Nand Jha Son of Late Jagdish Jha Resident of Village- Mahrail, Ward No. 5, P.S. Rudrapur, District- Madhubani.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga through its Registrar.
2. Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
4. The State of Bihar through Additional Chief Secretary, (Higher Education) Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary (Higher Education), Department of Education, Government of Bihar, New Secretariat, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18089 of 2022

Radha Devi Wife of Ratan Chaudhary, Resident of Ward No.13, Near Inaar, Pastan Navtoli, P.S.-Andhra Tharhi, District-Madhubani.

... .. Petitioner/s

Versus

1. Kameshar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga through its Registrar.
2. Vice Chancellor, Kameshar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.



3. Registrar, Kameshar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga.
4. The State of Bihar through Additional Chief Secretary (Higher Education), Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary (Higher Education), Department of Education, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18259 of 2022

Gulab Jha Son of Late Mahindra Jha, Resident of Village- Lahta, Ward No. 8, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga through its Registrar.
2. Vice- Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
4. The State of Bihar through Additional Chief Secretary, (Higher Education) Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary (Higher Education), Department of Education, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18285 of 2022

Ram Ballab Jha Son of Late Surat Lal Jha, Resident of Village- Lahta, P.O.- Lahta, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga through its Registrar.
2. Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga.
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga.
4. The State of Bihar through Additional Chief Secretary, (Higher Education) Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary (Higher Education) Department, of Education,



Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18402 of 2022

Manjula Devi Wife of Late Fudan Mishra, Resident of Village- Pastan Navtoli, Ward No. 13, P.S.- Andhra Tharhi, District- Madhubani.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga through its Registrar.
2. Vice- Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
4. The State of Bihar through Additional Chief Secretary, (Higher Education), Department of Education, Government of Bihar, Patna.
5. The Principal Secretary (Higher Education), Department of Education, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 109 of 2023

Sunita Devi Wife of Late Hari Narayan Mishra alias Hari Mishra Resident of Village- Mahrail, P.S.- Rudrapur, District- Madhubani.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga through its Registrar.
2. Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The State of Bihar, through Additional Chief Secretary, (Higher Education) Department of Education, Government of Bihar, New Secretariat, Patna.
5. The Principal Secretary, (Higher Education) Department of Education, Government of Bihar, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5631 of 2023



Dr. Parmendu Pathak son of Late Satyadeo Pathak, Resident of Pohaddi, Via-Benipur, P.S.-Bahera, District-Darbhangha.

... .. Petitioner/s

Versus

1. Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar, Darbhanga through its Registrar.
2. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
4. The Principal, Purnima Ram Pratap Sanskrit College, Baigni, District-Darbhangha.
5. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
6. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
7. The Director, Higher Education Department, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 17253 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. S.K. Ranjan, AC to G.P-17

For University : Mr. Deepak Kumar, Adv.

(In Civil Writ Jurisdiction Case No. 17352 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Jai Prabhat Kishore, AC to SC-13

For University : Mr. Deepak Kumar, Adv.

(In Civil Writ Jurisdiction Case No. 17416 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Madhaw Pd. Yadaw (Gp23),

Mr. Arvind Kumar, AC to GP-23

For University : Mr. Deepak Kumar, Adv.

(In Civil Writ Jurisdiction Case No. 17903 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha

For the State : Mr. Madhukar Mishra, AC to SC-16

For University : Mr. Deepak Kumar, Adv.

(In Civil Writ Jurisdiction Case No. 18089 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Shankar Kumar Thakur, Adv.

For University : Mr. Deepak Kumar, Adv.

(In Civil Writ Jurisdiction Case No. 18259 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Jai Prabhat Kishore, AC to SC-13

(In Civil Writ Jurisdiction Case No. 18285 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Madhaw Prasad Yadaw (Gp 23),

Mr. Arvind Kumar, AC to GP-23

For University : Mr. Deepak Kumar, Adv.



(In Civil Writ Jurisdiction Case No. 18402 of 2022)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Jai Prabhat Kishore, AC to SC-13

(In Civil Writ Jurisdiction Case No. 109 of 2023)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Kameshwar Kumar (Gp17)

(In Civil Writ Jurisdiction Case No. 5631 of 2023)

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the State : Mr. Madhaw Pd. Yadaw (Gp23),

Mr. Arvind Kumar, AC to GP-23

For University : Mr. Deepak Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 20-07-2023

Heard Mr. Durga Nand Jha, learned counsel appearing on behalf of the petitioners, Mr. S.K. Ranjan, Jai Prabhat Kishore, Madhaw Pd. Yadaw, Mr. Arvind Kumar, Madhukar Mishra, Mr. Shankar Kumar Thakur and Mr. Kameshwar Kumar, learned counsels appearing on behalf of the State and Mr. Deepak Kumar, learned counsel appearing on behalf of the respondents.

2. The details of the individual above petitioners appears in the above writ petitions, furnished by Mr. Durga Nand Jha, learned counsel appearing on behalf of the petitioners, are as follows:-

“The following cases are related to payment of Retirement benefits to the employees worked under Kameshwar Singh Darbhanga Sanskrit University and are covered with order dated 26.4.2023 passed in CWJC NO. 808 of 2023.



Sl. No.	Case No.	Parties	Date of Appointment	Date of Retirement	Post Assistant Professor	Papers submitted
1.	CWJC No. 17253 of 2022	Dinesh Jha Vrs. K.S.D.S. Univ.	28.01.1977	31.07.2014	Assistant Professor	10.08.2021
2.	CWJC No. 17352 of 2022	Bishwambhar Jha Vrs. K.S.D.S. Univ.	16.11.1978	31.07.2019	Class-IV	05.11.2019
3.	CWJC No. 17416 of 2022	Madan Jha Vrs. K.S.D.S. Univ.	31.05.1981	31.03.2016	Class-IV	07.05.2021
4.	CWJC No. 17903 of 2022	Nitya Nand Jha Vrs. K.S.D.S. Univ.	18.11.1978	28.02.2021	Peon	28.02.2021
5.	CWJC No. 18089 of 2022	Radha Devi Vrs. K.S.D.S. Univ.	14.10.1980 (husband)	26.08.2018 Died		05.09.2021
6.	CWJC No. 18259 of 2022	Gulab Jha Vrs. K.S.D.S. Univ.	28.01.1977	31.03.2015	Clerk	18.08.2021
7.	CWJC No. 18285 of 2022	Ram Ballab Jha Vrs. K.S.D.S. Univ.	28.01.1977	31.01.2017	Assistant Professor	10.08.2021
8.	CWJC No. 18402 of 2022	Manjula Devi Vrs. K.S.D.S. Univ.	20.07.1979 (husband)	08.12.2017 (husband died)	Peon	Paper submitted
9.	CWJC No. 109 of 2023	Sunita Devi Vrs. K.S.D.S. Univ.	18.11.1978 (husband)	18.12.2015 (husband died)	Night Guard (Class-IV)	24.08.2021
10.	CWJC No. 5631 of 2023	Dr. Parmendu Pathak Vrs. K.S.D.S. Univ.	20.06.1978	31.01.2021	Assistant Professor	Paper submitted

3. Learned counsel appearing on behalf of the petitioners seeks disposal of the above writ petitions on the similar terms as has been passed in **C.W.J.C. No. 808 of 2023, Parma Nand Jha Vrs. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga & Ors.** on 26.04.2023.



4. The petitioners may file detail representation before the Registrar of the University relating to redressal of their claims as prayed for in the above writ petitions.

5. Learned counsel further submits that the delay in making payment of retiral benefits was considered by a Division Bench of this Court in **L.P.A. No. 1925 of 2011**, arising out of C.W.J.C. No. 6534 of 2009 with respect to the University and the Division Bench has also passed on 11.05.2022 in **CWJC No. 6852 of 2021 (Lilawati Mishra vs. the State of Bihar and Ors.)**.

6. 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.

7. Mr. Deepak Kumar, 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 three weeks.

8. In the meantime, the Vice Chancellor of the University must ensure that the Registrar of the University takes all the serious steps for making payment of the retiral dues admissible to the petitioners within a period of three weeks.



9. 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 petitioners.

10. With the above observation and direction, the present writ petitions are disposed of.

(Purnendu Singh, J)

pravinkumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	

