

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22782 of 2018

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Ravindra Prasad Yadav Son of Alakhdeo Prasad Yadav Resident of Village-
Shaharkola, P.S.-Basantpur, District-Siwan.

... .. **Petitioner**

Versus

1. The Vice Chancellor of Jai Prakash University, Saran at Chapra.
2. The Registrar of Jai Prakash University, Saran at Chapra.
3. The Finance Officer of J.P. University, Saran at Chapra.

... .. **Respondents**

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Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Advocate
For the Respondent/s : Mr.Nagendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 08-08-2023 This writ application has been filed to issue a writ directing the respondent authorities to refund a sum of Rs. 6,50,000/- with penal interest to the petitioner.

2. Learned counsel for the petitioner submits that this amount was deposited by the petitioner in the year 2011 for purpose of establishing a college and it was deposited as per direction of the University. This included Rs. 5,50,000/- in the consolidated fund and Rs. 1,00,000/- towards inspection fee.

3. Learned counsel submits that for various reasons the college could not get affiliation and the petitioner decided to get back it's money. In this regard, a



letter dated 19.08.2017 (Annexure '2') was written to the University.

4. Learned counsel for the University submits that the University has refunded Rs. 5,50,000/- vide cheque No. 074034 dated 19.05.2023 to the petitioner Ravindra Prasad Yadav. The transaction details has been placed before this Court.

5. As regards Rs. 1,00,000/-, it is submitted that since an inspection of the college has already been conducted, hence, the said amount has not been refunded.

6. Learned counsel for the petitioner has disputed the submission of the learned counsel for the University that there was an inspection of the college.

7. In the given facts and circumstances, this Court finds that so far as substantial amount of Rs. 5,50,000/- is concerned, the same has already been refunded to the petitioner. A sum of Rs. 1,00,000/- is in dispute, hence for this money the petitioner may seek his remedy, if so advised, before appropriate court under appropriate jurisdiction. Learned counsel for the petitioner submits that the petitioner would have been entitled for interest also on



the amount which remained lying with the University.

8. Since, this Court is not going into the submissions of the University as to why the amount remain pending, this Court would not award interest but liberty would be available to the petitioner to claim interest, if so advised, in appropriate proceeding.

9. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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