

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8727 of 2022

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Dr. Manoj Kumar Mandal Son of Late Suresh Chandra Yadav Retired Associate Professor, Department of Political Science, B.N.M.V. College, Sahugadh, Madhepura, Presently residing at 196, M.I.G., Kankarbag, P.S.-Kankarbag, District and Town- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. Bhupendra Narayan Mandal University Madhepura through its Registrar.
4. The Vice-Chancellor Bhupendra Narayan Mandal University, Madhepura.
5. The Registrar Bhupendra Narayan Mandal University, Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra
For the Respondent/s	:	Mr.Madhaw Prasad Yadaw (Gp 23)
		Mr.Ritesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 06-03-2024

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the B.N. Mandal University.

2. This writ application has been filed for issuance of a writ preferably in the nature of mandamus commanding and directing the respondents concerned to make payment of amount of differential salary to the petitioner which has not been paid to him despite his entitlement without any valid reason. And/or any other relief/ writ/writs, order/orders, direction/directions, for



which the petitioner is found to be entitled in the facts and circumstances of the case.

3. Learned counsel for the University submits that a counter-affidavit has been filed on behalf of the respondent nos.3 to 5, enclosing at Annexure-A, a letter No.A/c 30/23 dated 28.01.2023, whereby the Registrar of the University has requested the Director, Higher Education, Government of Bihar, Patna for making dues payment to the petitioner. Learned counsel for the University submits that till date, he has not received the said fund.

4. The State has also filed counter-affidavit stating therein that after perusal of the record and after auditing the detail of differential due salary of the petitioner, the pay verification cell has recommended correct amount of Rs.54,73384/- which is to be payable to the petitioner.

5. Learned counsel for the petitioner submits that till date, no amount has been released in favour of the petitioner.

6. Under the aforesaid circumstances, I direct the respondent no.2, the Principal Secretary/Additional Chief Secretary, Department of Education, Government of Bihar, Patna to release the said fund to the tune of Rs.54,73384/- to the University within a period of four weeks from today.



7. Let it be made clear that if the fund is not released within the aforesaid period, the respondent no.2 shall be personally held responsible for non-compliance of the order of this Court.
8. With the aforesaid observations and directions, this writ application is hereby disposed of.

(Anjani Kumar Sharan, J)

pallavi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.03.2024
Transmission Date	N.A.

