

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10891 of 2023

Dr. Ratneshwar Singh Son of Late Ram Bachan Singh, R/o - Flat No. 106,
Shiv Priya Vihar Apartment, Near Sadakat Ashram, P.S. Patliputra, Town and
District - Patna. (Bihar).

... .. Petitioner/s

Versus

1. The B.N. Mandal University Madhepura through its Registrar.
2. The Vice-Chancellor, B.N. Mandal University, Madhepura.
3. The Registrar, B.N. Mandal University, Madhepura.
4. The Financial Advisor, B.N. Mandal University, Madhepura.
5. The Finance Officer, B.N. Mandal University, Madhepura.
6. The Principal, S.N.S.R.K.S. College, Saharsa, District - Saharsa.
7. The State of Bihar, through the Principal Secretary, Education Department,
Government of Bihar, Patna.
8. The Director, Higher Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Purushottam Kumar Jha, Advocate
For the State	:	Mr. Madanjeet Kumar, GP-20
For the University	:	Mr. Apurva Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2024 Heard learned counsels for the parties.

2. This writ application has been filed for the
following relief/s:-

*“i. Issuance of an order, direction or a writ in the nature
of Mandamus commanding the Respondents concerned
to ensure the payment of petitioner's arrears of salary
claim, taking into account petitioner's promotion as
Lecturer (Senior Scale) under Carrier Advancement
Scheme w.e.f. 27.07.1998 (Annexure-2 to this writ
petition). Lecturer (Senior Scale) w.e.f. 27.07.2003
(Annexure-3 to this writ petition) and on account of*



grant of three advance increments to the petitioner w.e.f. 10.06.2009, on account of his having acquired Ph.D. Degree during his service tenure, and to the said effect pay fixation has been made by the Respondent University vide Pay Fixation Chart dated 11/12.07.2009 (Annexure- 4to this writ petition).

ii. Issuance of an order, direction, or a writ in the nature of Mandamus commanding the Respondents concerned to ensure the payment of petitioner's arrears of salary claim under 7th Revised UGC Pay Scale from 01.01.2016 to 31.01.2020.

iii. To hold and declare that the action of the authorities concerned of the Respondent University in not considering the grievances of the petitioner, so raised in representation dated 27.05.2023 (Annexure-6 to this writ petition) is highly illegal, arbitrary, malafide, malicious and unsustainable in the eye of law, which is tantamounting to the violation of Article 14 and 21 of the Constitution of India.

iv. Issuance of an order, direction or a writ in the nature of Mandamus commanding the Respondents concerned to ensure the payment of interest over the said arrears of salary claim of the petitioner either @ 12% or @ 15% or @ 18% per annum upon taking into account the orders passed by the Hon'ble High Court, Patna as well as the Apex Court vide Annexure-7, 8 and 9 respectively to this writ petition.

v. Issuance of an order, direction or a writ in the nature of Mandamus commanding the Respondents concerned to make the payment of suitable amount of compensation (Rs. 10 Lacs) to the petitioner for causing unnecessary harassment and for dragging this



petitioner in the present litigation in the old phase of his life.

vi. For grant of any other relief or relief(s) to which the petitioner may be found entitled to in the facts and circumstances of this case.”

3. After some arguments, learned counsel appearing on behalf of the petitioner requests for disposal of the present writ application granting liberty to the petitioner to raise his grievances by filing fresh representation before the Vice Chancellor, B.N. Mandal University, Madhepura (Respondent No. 2), along with all the necessary documents and details in support of his claim.

4. In view of the limited nature of prayer, this writ application is disposed of with liberty to the petitioner to file detailed representation before the Vice Chancellor, B.N. Mandal University, Madhepura (Respondent No. 2) along with all the necessary documents and details in support of his claim within a period of four weeks from today.

5. In the event the petitioner files his representation within the stipulated period, the Vice Chancellor, B.N. Mandal University, Madhepura (Respondent No. 2) shall dispose of the same, in accordance with law, after hearing the parties, by a reasoned and speaking order, preferably within a period of three



months from the date of filing of the representation.

(Prabhat Kumar Singh, J)

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