

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12470 of 2024

Arbind Kumar Sinha Son of Yogendra Narayan Sinha, Resident of Flat no. 405, Ashok Puri, Khanpura, Akansha Urmila Place, B.V. College, P.S.- Shashtrinagar, District- Patna, Pin Code- 800014.

... .. Petitioner/s

Versus

1. The State of Bihar through the Agricultural Production Commissioner, Agriculture Department, Bihar, Patna.
2. The Director, Administration, Bihar Agricultural University, Sabour, Bhagalpur.
3. Bihar Agricultural University, Sabour, Bhagalpur through its Registrar.
4. Vice Chancellor, Bihar Agricultural University, Sabour, Bhagalpur.
5. Registrar, Bihar Agricultural University, Sabour, Bhagalpur.
6. The Director Extension Education, Directorate of Extension Education, Bihar Agricultural University Sabour, Bhagalpur.
7. Director, Agricultural Technology Application Research Institute (ATARI), ICAR, Zone- IV, Patna.
8. Secretary, (Department of Agricultural Research and Education), Ministry of Agricultural and Farmers Welfare, Krishi Bhavan, New Delhi.
9. Director General, Indian Council of Agricultural Research, Krishi Bhavan, New Delhi.
10. Deputy Director General, Extension Education, Indian Council of Agricultural Research, Krishi Bhavan, New Delhi.
11. Assistant Director General, Extension Education, Indian Council of Agricultural Research, Krishi Bhavan, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Adv. Mr. Arpit Anand, Adv. Mr. Pushkar Bharadwaj, Adv.
For the State	:	Mr. Government Pleader 17 Mr. Kumar Ravish, Adv.
For the University	:	Mr. Shailendra Kumar Singh, Adv.
For the ICAR	:	Mr. S.N. Pathak, Adv. Mr. Saurav Nikunj, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2024 Heard learned counsel for the petitioner, learned counsel for the State, learned counsel for the Bihar Agricultural University and learned counsel for the Indian Council of Agricultural Research.



2. The present writ petition has been filed for the following relief/s:-

“I. For quashing the letter dated 29/05/2024 bearing letter no. 520 (annexed as Annexure-P/31) issued by the Director of Extension Education, Bihar Agriculture University, Sabour, Bhagalpur by which the petitioner has been directed to deposit Rs. 9,73,000/- in ten equal installments on the allegations of the said amount having been spent by him without the approval of the competent authority and by which he has been directed to submit his joining at the assigned Headquarters fixed during his period of suspension at Krishi Vigyan Kendra, Amas, Gaya notwithstanding the fact that the petitioner suffers from Chronic Kidney Disease, Stage III and as such adequate medical facilities and proper care would not be available to the petitioner at Krishi Vigyan Kendra, Amas, Gaya and further the inquiry against the petitioner also having been completed;

II) For quashing the letter dated 02/04/2024 bearing Memo no. 19 (annexed as Annexure-P/29) issued by the Director, Extension Education,



Directorate of Extension Education, Bihar Agricultural University, Sabour, Bhagalpur (hereinafter referred to as "the University"), by which the petitioner has been directed to make payment of an amount of Rs. 9,73,000/- in one installment on the allegations of the said amount having been spent by him without the approval of the competent authority under the Agriculture Welfare Scheme during the year 2018-19 while the petitioner was posted in the capacity of Senior Scientist & Head at Krishi Vigyan Kendra, Araria;

(III) For commanding the concerned respondent authorities under the University to take steps towards revoking the suspension of the petitioner as he has been languishing under suspension without there being any just and valid reason in support thereof since July, 2023 and furthermore, the order of suspension of the petitioner is also in blatant disregard and violation of the provisions contained under Article 10.09 (8) (b) & (c) of the Bihar Agricultural University Statute, 2010 contained in a notification dated 08/01/2018 published in the official



gazette;

(IV) For commanding the concerned respondent authorities under the University to take steps towards making payment of salary admissible in favour of the petitioner that he has been denied on account of the petitioner having been placed under suspension and furthermore for making payment of current salary along with arrears of salary as for the period between July 2023 to January 2024 the petitioner has been made payment of only subsistence allowance and not the full salary as he was otherwise legally entitled to;

(V) For commanding the concerned respondent authorities under the Director, ATARI, ICAR, Zone-IV, Patna to take steps towards re-validating the expenditure made by the petitioner out of the grant of Rs.21 lacs allotted in favour of Krishi Vigyan Kendra, Araria for the purpose of construction of NADEP Vermi compost Unit in furtherance of Krishi Kalyan Yojna Scheme;

(VI) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”



3. Learned counsel for the petitioner submits that he is aggrieved by the decision of the Director and he has filed representation on 12.02.2024 before the Vice Chancellor, Bihar Agricultural University, Sabour, Bhagalpur *vide* Annexure-P/34, but no decision has been taken by the Vice Chancellor till date. In result, the petitioner has no option left but to move before this Hon'ble Court.

4. Learned counsel for the Bihar Agricultural University submits that as per his knowledge, decision has not been taken on Annexure-P/34.

5. Learned counsel for the State submits that Bihar Agricultural University has not provided any instruction on Annexure-P/34.

6. In this view of the matter, the present writ petition stands disposed off directing the Vice Chancellor, Bihar Agricultural University, Sabour, Bhagalpur to pass a reasoned and speaking order on Annexure-P/34 within 90 days from the date of production of the order.

(Dr. Anshuman, J)

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