

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13100 of 2024

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1. Kamal Nath Thakur son of Late Vidya Thakur, resident of Laxmi Nagar, P.S.- Town Thana Saharsa, District- Saharsa.
 2. Rewati Raman Jha, son of Late Chaturbhuj Jha, resident of Naya Bazar, Ward No. 09, Behind Dr. I.D. Singh Clinic, P.S. and District- Saharsa.
 3. Shyama Nand Jha, son of Late Mandan Jha, resident of Tiwari Tola, District- Saharsa.
 4. Brahmadeo Kamat, son of Late Hari Kamat, resident of Village- Kahra, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Higher Education, Education Department, Government of Bihar, Patna.
3. The B.N. Mandal University, Laloo Nagar, Madhepura through the Registrar.
4. The Vice- Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
5. The Registrar, B.N. Mandal University, Laloo Nagar, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha Mr. Pranav Kumar Jha
For the Respondent/s	:	Mr. Government Pleader (11)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-09-2024 1. Learned counsel for the petitioners submits that Physical Instructor has been re-designated as Director, Physical Education in the scale of Rs. 15600-39100/- having grade pay of Rs. 6000/- as per the U.G.C. scale prescribed in the year 2006. The same Education Department, Government of Bihar has came out with Circular No. 2693 dated 27.08.2010 regarding re-designation of Physical Instructor as Director, Physical



Education, but the respondent – University has not taken any steps for the grant of re-designated scale of Director, Physical Education to the petitioners. The petitioner nos. 1, 2 & 4 retired as Physical Instructor from S.N.S.R.K.S. College, Saharsa, R.M. College, Saharsa & M.L.T. College, Saharsa respectively on various dates between 2015 – 2021. The petitioner no.-3 has retired as Librarian and the post of Librarian has been re-designated equivalent to the post of Teacher having the same scale of Rs. 15600-39100/-.

2. Learned counsel further submits that as per Circular dated 27.08.2010 bearing no. 2693 some of the other Universities of the State of Bihar has re-designated the Physical Instructor as Director, Physical Education which would be evident from the Office Orders passed by B.R. Ambedkar Bihar University, Muzaffarpur & L.N.M.U., Darbhanga dated 20.01.2015.

3. No one appears for the B.N. Mandal University.

4. However, learned counsel for the State is present.

5. The petitioners have filed detailed representations at Annexures – P/3 & P/4 dated 30.03.2019 & 05.03.2020.

6. Regard being had to the nature of prayer made in this writ application, the same is disposed with liberty to the petitioners to file fresh representation before the Respondent No. 4 / Vice



Chancellor, B.N. Mandal University within a period of one month from today. If such a representation is filed by the petitioners, the Vice Chancellor, B.N. Mandal University is directed to dispose the same in accordance with law and in the light of the Circular of the State Government by a speaking order within a period of three months from the date of filing of the representation by the petitioners.

7. Needless to say that if any amount is found payable to the petitioners by way of arrears, the same shall be paid by the University to the petitioners within a period of one month from the date of disposal of the representation.

(Anil Kumar Sinha, J)

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