

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15568 of 2024

Kauleshwar Prasad Sah Shri Ram Swaroop Sah Resident of Navratanpur,
Indra Nagar, Road no-7B, Behind Banwari Bhawan, Postal Park, P.S.-
Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department Govt. of Bihar.
2. The Director, Higher Education, the Department of Education, Bihar.
3. The Principal Secretary, Governors Secretariate, Bihar
4. The Vice-Chancellor, Tilka Manjhi University, Bihar
5. The Registrar, Tilka Manjhi University, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar
For the Respondent/s	:	Mr. Government Pleader (4)
For the University	:	Mr. Ashhar Mustafa

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-10-2024 1. Heard learned counsel for the petitioner, learned
AC to GP-4 and the learned counsel appearing on behalf of the
University.

2. The learned counsel for the petitioner submits that
the Joint Secretary in the Governor's Secretariat, vide his Memo
No. 279 dated 15.02.2023, had directed the Vice-Chancellor,
T.M, Bhagalpur University, Bhagalpur to reappoint the
petitioner on contract basis as Finance Officer in the University.
It is submitted that petitioner, in pursuance of the Letter dated
15.02.2023, submitted his joining on 20.02.2023 before the
Registrar of the University and the same was accepted. It is next



submitted that petitioner started discharging his duties of Finance Officer in the University, but by Letter dated 11.03.2023 issued by the Registrar of the University, his power as Finance Officer was seized. It is further submitted that though power of the petitioner was seized, but then the contractual service of the petitioner was not terminated and another person was appointed in place of the petitioner on 10.05.2024. It is, thus, submitted that petitioner from 20.02.2023 till 10.05.2024 continued with the contractual appointment though his power was seized, but then he has not been paid a single penny despite the fact that contractual appointment of the petitioner was not terminated.

3. The learned counsel appearing on behalf of the University submits that from perusal of the pleadings made in the writ application, it would manifest that petitioner on contractual basis was appointed as Finance Officer in the University by Memo No. 279 dated 15.02.2023 in pursuance whereof he submitted his joining on 20.02.2023, but then the power of the petitioner to discharge duties of Finance Officer was seized by letter dated 11.03.2023 i.e. within less than a month of the petitioner's joining on the post, it is thus submitted that in sum and substance, the moment the power of the



petitioner was seized, the petitioner became disentitled to function as Finance Officer of the University, as such, the learned counsel submits that since petitioner has not discharged any work, hence, he is not entitled for any salary even, on which the learned counsel appearing on behalf of the petitioner submits that petitioner has discharged his duties from 20.02.2023 till 11.03.2023 and for the said period also he has not been paid.

4. After hearing the learned counsels for the parties, the writ application is disposed of with a direction to the petitioner to file a representation before the Registrar of the University seeking his salary for the period 20.02.2023 till 10.05.2024 and the Registrar of the University is directed to dispose of the representation of the petitioner within a period of six weeks from the date it is filed in accordance with law.

5. Accordingly, the instant writ application is disposed of.

(Satyavrat Verma, J)

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