

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15925 of 2024**

Dr. Umesh Kumar son of Bindeshwari Prasad, resident of Ward No. 13,  
Professor Colony, Maharajganj, Town, P.S. and District-Madhubani, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Higher Education Education Department, Govt. of Bihar, Patna.
4. The Vice Chancellor, Lalit Narayan Mithila University, Darbhanga, Bihar.
5. The Registrar, Lalit Narayan Mithila University, Darbhanga, Bihar.
6. The Secretary, Governing Body, Deo Narayan Yadav College, Madhubani.
7. The Principal in Incharge, Deo Narayan Yadav College, Madhubani.

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr.Sushil Kumar Singh, Advocate |
| For the Respondent/s | : | GA-3                            |
|                      |   | Mr. Bindhyachal Rai, Advocate   |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      28-10-2024                      Heard learned counsel for the petitioner, learned GA-3  
  
and the learned counsel appearing on behalf of the University,  
  
Mr. Bindhyachal Rai.

2. The learned counsel for the petitioner submits that  
  
the instant writ application has been filed seeking a writ of  
mandamus, directing the respondents concerned to make  
payment in favour of the petitioner on account of monthly  
honorarium since May 2023 onwards, further to direct the  
respondents to make payment of government grant (a) 30% of  
admissible grant related to the Educational Session 2011-14 and



(b) 100% of the admissible grant related to Educational Session 2012-2015 onwards, apart from other relief.

3. The learned counsel for the petitioner submits that petitioner had filed a representation before the authorities of the University and the respondent no.3 seeking the relief claimed for in the present writ application, but then the authorities of the University and the respondent no.3 are sitting tight over the matter, on which the learned counsel appearing on behalf of the University submits that petitioner has been appointed as a lecturer in an affiliated college governed by the Managing Committee and it is the Managing Committee which has taken a decision based on which his honorarium from May 2023 is not being paid, hence if the petitioner is aggrieved by the order of the Managing Committee in that event, he could have moved before the SDO who is the Chairman of the Managing Committee of the college in question.

4. It is further submitted by the learned counsel appearing on behalf of the University that any action taken by the Managing Committee of the college cannot be assailed in a writ petition for the reason that Managing Committee is an independent body and does not come within the definition of State as defined in Article 12 of the Constitution of India, but



then fairly submits that had the petitioner moved before the SDO for the relief claimed for in the instant writ application, the SDO could have examined his claim and if the claim was found genuine the case of the petitioner could have been recommended to the Managing Committee of the College, to do the needful.

5. After hearing the learned counsels for the parties, the writ application is disposed of with a direction to the petitioner to file an application before the S.D.O., Madhubani for redressal of his grievance as raised in the instant writ application.

6. If any application is filed by the petitioner on or before 25.11.2024, before the S.D.O., Madhubani, the S.D.O., Madhubani shall dispose of the same within a period of six weeks in accordance with law.

7. The writ application is disposed of.

**(Satyavrat Verma, J)**

Prakash Narayan

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