

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.737 of 2024

1. Dr. Ratna Amrit wife of Shri Pratyaya Amrit, resident of Quarter No. 4, Polo Road, Near Airport, Patna Airport, District-Patna, Pin Code-800 001.
2. Dr. Vijay Raghav Singh, son of Dr. Kedar Nath Singh, resident of West of Devi Asthan, Mohanpur, L.B.S. Nagar, P.S.-Shastri Nagar, District-Patna, Pin Code-800 023.
3. Dr. Vinita Prasad, Wife of Shri Ajay Kumar, resident of 401, Sobh Shree Apartment, Mazar Gali, Sheikhpura, B.V. College, P.S. Sheikhpura, District Patna, Pin Code-800 014.
4. Dr. Hemant Kumar Jha, son of Late Jaideo Jha, resident of Nitiya Nand Chowk, P.O. -Manjhaul-Khutan Tola, P.S.-Manjhaul, District-Begusarai, Pin Code-851 127.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. Director, Higher Education, Education Department, Bihar, Patna.
3. Patliputra University, Patna through its Registrar.
4. Vice Chancellor, Patliputra University, Patna.
5. Registrar, Patliputra University, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Abhinav Srivastava, Adv. Mr.Arpit Anand, Adv.
For the Respondent/s	:	Mr.Gyan Prakash Ojha, G.A.7 Mr.Ajit Kumar, A.C. to G.A. 7
For the University	:	Mr.Rana Vikram Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 22-03-2024

Heard learned counsel for the petitioners and learned counsel for the respondents.

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

“(i) Issuance of a direction, order or writ, including writ in the nature of mandamus



commanding the concerned respondent authorities under the Patliputra University, Patna (hereinafter referred to as “the University”) and the Education Department of the State Government to take steps towards extending the benefits of three non-compounded advance increments in terms of the provisions contained under the letter dated 31/12/2008 issued by the concerned authorities under the Department of Higher Education, Ministry of Human Resource Development, Government of India, New Delhi;

(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to take steps towards making payment of arrears of salary as would become admissible in favour of the petitioners upon grant of the aforesaid three non-compounded advance increments w.e.f. the due dates along with penal interests for the delay that has been unnecessarily caused in making payment of the same without there being any just and valid reason in support thereof;

(iii) Issuance of a declaration holding that the petitioners are entitled for being extended the benefits of three non-compounded advance increments in terms of the provisions contained under the letter dated 31/12/2008 issued by the concerned under the Department of Higher Education, Ministry of Human Resource Development, Government of India, New Delhi and the resolution dated 15/05/2018 bearing memo no.908 was issued by the concerned authorities under the Education Department of the State Government;

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

3. Learned counsel for the petitioners submits that the



petitioners have filed a detailed representation before the Vice Chancellor, Patliputra University, Patna (respondent no.4) which is also enclosed at Annexure-9 series of the writ petition.

4. Considering the aforesaid facts, this writ petition is disposed of with a direction to the respondent no.4 to consider the representation of the petitioners and pass a reasoned and speaking order, within a period of eight weeks from today, after giving a chance of hearing to the petitioners or their counsels. The admissible payment of the petitioners be made within the said period.

5. It is made clear that, if a reasoned and speaking order is not passed within the stipulated time, the respondent no.4 shall be held liable for non-compliance of the order of this Court.

(Anjani Kumar Sharan, J)

pallavi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.03.2024
Transmission Date	NA

