

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4541 of 2021

ANJU KUMARI Wife of Late Binod Yadav Resident of Killa Road, Near
Kachahari, Post- Jhauganj, Patna City, P.s.- Chowk, District- Patna-800008

... .. Petitioner/s

Versus

1. The Vice Chancellor, Patliputra University, Old Bypass Road, Kankarbagh,
Patna-800020, Bihar (India)
2. Registrar, Patliputra University, Old Bypass Road, Kankarbagh, Patna-
800020, Bihar (India)
3. Principal Guru Gobind Singh College, Patnacity, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Puneet Siddhartha, Advocate
For the Respondent/s	:	Mr. Rana Vikram Singh, Advocate Mrs. Rasika, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

12 27-02-2025 Heard Mr. Puneet Siddhartha, learned counsel
appearing on behalf of the petitioner and Mr. Rana Vikram
Singh along with Mrs. Rasika, learned counsels for the
Patliputra University.

2. Petitioner has *inter alia* prayed for following reliefs
in the paragraphs No.1 of the writ petition:-

*(A) A writ in the nature of mandamus or
any other appropriate writ/s, order/s, direction/s for
the following reliefs:*

*I. To direct the Respondents to pay the
petitioner her arrears of salary along with the
interest for the period from 15.10.2008 to 14.10.2019
as the suspension of the petitioner has been revoked
by the respondents University vide Memo
no.332/PPU/L/2019 dated 14.10.2019.*

*(ii) To direct the respondent University to
pay the petitioner her salary from 15.10.2019 till date
along with interest.*

(iii) To direct the respondent University to



act on and decide the representation dated 24.02.2020 filed by the petitioner.

(B) To any other relief /s to which the petitioner is found entitled to.”

3. Learned counsel appearing on behalf of the petitioner submitted that husband of the petitioner died in harness on 11.08.1997 and thereafter petitioner was appointed on compassionate ground on 17.07.1999 as a routine clerk in Guru Govind Singh College, Patna City. On 04.06.2008, the principal of the College lodged an FIR against thirteen accused persons including the petitioner and thereafter she was suspended on 15.10.2008. Suspension order was revoked *vide* order dated 14.10.2019 in light of Division Bench order dated 24.04.2018 passed in LPA No.236 of 2018. The petitioner was reinstated in service and later on, criminal case pending against the petitioner has also been quashed by this Court *vide* order dated 22.09.2022 passed in Cr. Misc. No.24543 of 2018. Case of the petitioner is that since suspension of the petitioner has been revoked, she becomes entitled to full wages for the period of her suspension, but the same has not been paid to her, forcing her to file the present writ petition.

4. Mr. Rana Vikram Singh, learned counsel appearing on behalf of the University submitted that Patliputra University is a new University, which came into existence, as a result of



notification dated 18.03.2018 and records relating to the petitioner and her husband/ late Binod Yadav remained with Magadh University. It is admitted that petitioner has been reinstated in the service. Mr. Rana contends that the very appointment of the husband of the petitioner, who had died in harness, was not recommended by the S.C. Agarwal Committee. In these backgrounds, learned counsel submitted that unless and until records are made available, the grievance of the petitioner in respect of payment of back salary cannot be considered at this stage.

5. Heard the parties.

6. The petitioner had faced criminal prosecution, which got quashed by this Court and for which, the petitioner was put under suspension and her suspension order was revoked vide Memo No.332 dated 14.10.2019 in light of the order dated 24.04.2018 passed in LPA No.236 of 2018. This Court finds that though subsistence allowance was paid to the petitioner from the date of suspension, i.e., 15.10.2008 till revocation of suspension. Once the suspension order has been revoked, the petitioner becomes entitled for full salary after deducting the amount which the petitioner was paid on account of subsistence allowance but the same will be subject to the result of the



disciplinary proceeding, if any, pending against the petitioner.

7. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

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