

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3156 of 2025

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Jitendra Narayan Singh Son of Ramchandra Singh Resident of Chholikadha,
Shahpur, P.O.-Shivnagar, P.S.-Benipati, District-Madhubani, 847102

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, through its Registrar
3. Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.
4. Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raushan Pushkar Bhardwaj, Advocate
For the State	:	Mr. Santosh Chandra Bhaskar, AC to GP-11
For the University	:	Mr. Deepak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 27-02-2025 Heard Mr. Raushan Pushkar Bhardwaj, learned counsel appearing on behalf of the petitioner; Mr. Santosh Chandra Bhaskar, learned AC to GP-11 appearing on behalf of the State and Mr. Deepak Kumar, learned counsel for the Kameshwar Singh Darbhanga Sanskrit University.

2. The petitioner in paragraph no. 1 of the present writ petition has sought *inter alia* following relief(s), which is reproduced hereinafter:

"(i) Issuance of a direction, order or writ including writ in the nature of mandamus commanding the concerned respondent authorities under the University and the State Government to take steps towards making payment of the incentive, in the form of 3 non-compounded advance



increments w.e.f. 01/09/2008, that the petitioner is entitled to on account of having completed and being declared successful in the PhD examination on 23/02/2013 by the respondent University obtained by him while continuing in service as an Assistant Professor, admissible in light of resolution dated 15/05/2018 issued by the Education Department of the State Government and letter dated 31/12/2008 issued by the Ministry of Human Resource Development, Department of Higher Education, Government of India extending such benefits;

(ii) Issuance of a declaration holding that the petitioner is entitled to 3 non-compounded advance increments w.e.f. 01/09/2008, on account of having completed and being declared successful in the PhD examination on 23/02/2013 by the respondent University obtained by him while continuing in service as an Assistant Professor, on basis of resolution dated 15/05/2018 issued by the Education Department of the State Government and letter dated 31/12/2008 issued by the Ministry of Human Resource Development, Department of Higher Education, Government of India;

(iii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to grant arrears of the difference of salary as found due in favour of the petitioner after granting him the three non-compounded increments w.e.f. 01/09/2008;

(iv) Issuance of a direction, order or writ including writ in the nature of mandamus commanding the concerned respondent authorities to take steps towards granting all the consequential benefits found due in favour of to the petitioner upon grant of the 3 non-compounded advance increments, including pay fixation, payment of arrears and pay fixation in the corresponding replacement Pay Level upon implementation of the recommendations of the 7th Pay Commission;

(v) Issuance of a direction, order or writ including writ in the nature of mandamus commanding the concerned respondent authorities to pay penal interest to the petitioner on the amount due in his favour w.e.f. 01/09/2008;

(vi) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case."



3. Learned counsel appearing on behalf of the petitioner informs that for the relief(s) as prayed for in the present writ petition, the petitioner has already filed representation before the Registrar of the Kameshwar Singh Darbhanga Sanskrit University (hereinafter referred to as the 'University') on 10.01.2020, but the said representation is still pending on account of inaction on the part of the Registrar of the University.

4. Considering the aforesaid submission made on behalf of the petitioner, the Registrar of the University is directed to call for the service particulars relating to the petitioner and see that as to whether, there has been any laches on his part in not granting the relief(s) as prayed for in the present writ petition, to the petitioner in accordance with the resolution of the State Government contained in Memo No. 908 dated 15.05.2018 published in Gazette Notification dated 22.05.2018 and dispose of the representation filed on behalf of the petitioner expeditiously, so that petitioner may not suffer financially.

5. In case of any further delay, the petitioner can take appropriate legal action against the Vice-Chancellor, Registrar, as well as, Finance Officer of the University.



6. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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