

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9652 of 2021

Prof. (Dr.) Jai Ram Das S/o Late Kishori Prasan Das resident of Pathan Toli, Damodarpur, Patahi, Kanti, Muzaffarpur, presently residing at Bahadurpur, P.O. - Kanti, P.S. - Minapur, District- Muzaffarpur, retired as Commissioned Principal, U.R. College, Rosra, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Vice - chancellor, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University, Bodh Gaya.
5. The Finance Officer, Magadh University, Bodh Gaya.
6. The Principal, P.G. Centre, Nalanda College, Biharsharif.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the University	:	Mr. Siddhartha Prasad, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha, (GP 27)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 17-04-2025 Heard Mr. Shashi Bhushan Singh, learned counsel appearing on behalf of the petitioner; Mr. Siddhartha Prasad, learned counsel appearing on behalf of the Magadh University and Mr. Prabhakar Jha, learned GP 27 for the State.

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

“(i) For issuance of an appropriate writ in the nature of Mandamus, Commanding and directing the respondent no. 3 to 5 to make payment the arrear of difference of salary for the period of January 1986 to 23.9.1997 amounting Rs.



*1,70,430/- and for a period of 24.9.1997 to 5.3.2009 amounting Rs. 18,63,649/- on account of promotion as well as revision of pay scale in revised UGC scale including D.A., HRA and M.A. on revised pay point in view of order passed in CWJC No. 17983/2016 passed on 7.8.2018 and payment of GIC @ 12.5% in view of judgment reported in 2006, Vil-IV, PLJR 369.
(ii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”*

3. *Vide* order dated 08.04.2025, on the request of learned counsel appearing on behalf of the University, one week time was granted, so that, he may request the In-charge Principal of the college to send the bills of the petitioner to the University for payment of arrears of salary and other payments, under different heads, if the bills have not already been sent to the University for payment.

4. It has been informed by the learned counsel appearing on behalf of University that in compliance of the order dated 08.04.2025, the Finance Officer of the Magadh University *vide* his letter no.BUD 141/25 dated 26.03.2025 has already communicated to the In-charge Principal of the Nalanda College, Bihar Sharif, Nalanda and also to the Finance Officer, Patliputra University to send the claim of the petitioner to the University, so that, payment can be made to the petitioner.

5. In spite of the action taken by the Finance Officer of the Magadh University and steps taken by the petitioner, the



In-charge Principal of the college is sitting tight over the matter since 26.03.2025. This Court has no alternative than to direct the Finance Officer of the Patliputra University to send the claim of the petitioner by obtaining the same from the In-charge Principal of the college to the Magadh University. The respondents, particularly In-charge Principal of the college concerned, must comply with the direction/s of the aforesaid letter dated 26.03.2025, without any further delay. In case of delay on his part, the Vice Chancellor of the Patliputra University must take legal action against the In-charge Principal of the college, in accordance with Section 10(8) of the Bihar State Universities Act, 1976, within a period of one week.

6. In the above mentioned facts and circumstances, the compliance is required to be done within 10 days. In case of failure on the part of the respondents, the petitioner is at liberty to take legal action against them.

7. Learned counsel appearing on behalf of the respondents is directed to communicate this order, forthwith, to the concerned Vice Chancellor and the In-charge Principal of the college concerned, without waiting for the order to be pronounced, so as to avoid any further delay in redressing the grievance of the petitioner.



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

(Purnendu Singh, J)

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