

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6936 of 2025

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Renu Choudhary Wife of Sri Baidhnath Choudhary, Resident of Village-
Sahora, P.O. Anandpur, P.S. Ashok Paper Mil, District Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Secretary, Education Department, Bihar, Patna.
4. The Director, Higher Education, Bihar, Patna.
5. The Vice Chancellor, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
6. The Registrar, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
7. The Finance Officer, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
8. The Principal, MLSM College, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prafull Chandra Jha, Adv.
For the Respondent/s	:	Mr. Narendra Kumar Singh, AC to GP-22
For the LNMU	:	Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-12-2025 Heard Mr. Prafull Chandra Jha, learned Advocate for

the petitioner, Mr. Bindhyachal Rai, learned Advocate for the

University as well as the learned Advocate for the State.

2. The grievance of the petitioner is in limited bound
to the extent that she has been denied arrears of part monthly
salary for the period March 1989 till date, despite her
continuance as Demonstrator.

3. Learned Advocate for the petitioner submitted that



the facts are not in dispute that the petitioner was duly appointed as Demonstrator in MLSM College, Darbhanga in the Department of Home Science and has been continuously working since then, but she has not been paid the part salary on account of the reason unknown for her. However, the petitioner for redressal of her grievance has time and again approached before the authorities concerned, but to no avail. Hence, invoked the jurisdiction of this Court.

4. Learned Advocate for the University fairly submitted that in order to respond to the averments an instruction is required.

5. Considered the submissions advanced by learned Advocate for the respective parties. Before parting with the case, it would be relevant to observe that non payment of salary without any justifiable reason amounts to depriving him/her from their livelihood. An employee cannot be allowed to discharge duty without salary/wages, as that would amount to *begari* and prohibited under Article 23 of the Constitution of India. The right to livelihood and corresponding salary/wages is the facet of right to live under Article 21 of the Constitution of India.

6. In view of the facts that the petitioner is deprived



from her salary for long, this Court directs the petitioner to file a fresh representation along with the order of this Court before the Registrar, L. N. Mithila University, Kameshwar Nagar, Darbhanga, preferably within a period of four weeks, from today.

7. In case such a representation is filed, the same shall be considered and disposed off by a reasoned and speaking order, keeping in mind the aforesaid observation, within a further period of eight weeks.

8. Suffice it to observe that in case the petitioner is found entitle to the part due salary and arrears, thereof, the same shall be paid within the period, aforenoted.

9. The writ petition stands disposed off.

(Harish Kumar, J)

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