

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19006 of 2016

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Udit Narayan Sinha son of Late Bishambhar Narain Resident of Purnea Court Station, Near Durga Mandir, P.S. Khazanchi Hatt, District - Purnea the retired Assistant, Purnea College, Purnea.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Director Higher Education, Education Department, Government of Bihar, Patna.
3. Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, through the Vice Chancellor.
4. The Vice-Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
5. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
6. The Finance Officer, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
7. The Principal, Purnea College, Purnea, P.O., P.S. and District Purnea.
8. The Registrar, Purnea University, Purnea, P.O. and P.S. Distt. Purnea.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Madav Prasad Yadav, Gp-23
	:	Mr. Rajesh Kumar Sinha, AC to GP-23
For Resp. No. 8	:	Mr. Samrendra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

11 01-12-2025 Heard learned counsel for the petitioner, learned counsel for Respondent-University and learned counsel for the Respondent-State.

2. With the consent of all the parties, this writ application is being disposed of at the present stage itself.

3. The petitioner in the present writ application has prayed for the grant of following reliefs:-

i) For issuance of an appropriate writ in the nature of



MANDAMUS,commanding and directing the Respondent Authorities to grant the pay-scale of Rs.5500-9000 to the petitioner with effect from 01.04.1997 pursuant to the letter issued by the Education Department contained in memo no.1192 dated 23.06.2014 which was issued pursuant to the order of the Hon'ble Supreme Court.

(ii) For issuance of an appropriate writ in the nature of MANDAMUS,commanding Respondent Authorities to grant the benefits of first and second Assured Career Progression (hereinafter referred to A.C.P.) to the post of Assistant since the petitioner had already completed 20 years in service to the post of Assistant.

(iii) For issuance of an appropriate writ in the nature of MANDAMUS,commanding and directing the Respondent Authorities to grant consequential monetary benefits of the petitioner like differences of salary pension, gratuity, earned leave etc. on account of aforesaid revision of pay-scale of the petitioner with effect from 01.04.1997 and onwards.

(iv) For issuance of any other appropriate writ / writs, order /orders direction/ directions for which the writ petitioner would be entitled under the facts and circumstances of the case.

4. Learned counsel for the petitioner submits that the



issue involved in the present writ application is no longer *res integra* as the issue has already been decided by a Coordinate Bench of this Court *vide* judgment dated 18.10.2024 passed in CWJC No. 22953 of 2018 and analogous matters. He further submits that for seeking the reliefs as claimed for in the present writ application, the petitioner has already filed a representation before the Registrar, Bhupendra Narayan Mandal University (Respondent No. 5) dated 25.08.2017 (Annexure-P/6) and the same continues to be pending. Learned counsel for the petitioner therefore submits that the petitioner would be satisfied if an appropriate direction could be issued to the Registrar, Bhupendra Narayan Mandal University (Respondent No. 5) to dispose of his representation on merit after giving an opportunity of hearing to the petitioner, by passing a reasoned and speaking order.

5. To this prayer being made by the learned counsel for the petitioner, the learned counsel for the Respondent-State and learned counsel for the Respondent-University do not have any objection.

6. Considering the limited nature of prayer being made by the learned counsel for the petitioner, this writ application is disposed of directing the Registrar, Bhupendra



Narayan Mandal University (Respondent No. 5) to dispose of the pending representation of the petitioner dated 25.08.2017 (Annexure-P/6) in light of the decision of Coordinate bench of this Court dated 18.10.2024 passed in CWJC No. 22953 of 2018 and analogous matters within a fixed period of four months from the date of production of a copy of this order, after giving an opportunity of hearing to the petitioner. Needless to emphasize that the final order which shall be passed by the Registrar, Bhupendra Narayan Mandal University (Respondent No. 5) should be a reasoned and speaking order.

7. With the aforesaid observation and directions, the present writ application is disposed of. All pending Interlocutory Applications, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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