

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24286 of 2018

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Sambhu Nath Prasad Yadav S/o Vishwanath Prasad R/o Village - Kamdhawar,
Siwan, District - Siwan, Bihar, PIN Code-841226

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, H.R.D. Department, Govt. of Bihar, Patna.
2. Director, Higher Education, Government of Bihar, Patna.
3. Kul Sachiv Jai Prakah University, Chapra
4. Awadh Bihari Choudhary, Secretary, Daroga Prasad Rai Degree College, Siwan.
5. Ram Sundar Choudhary Principal (Incharge), Daroga Prasad Rai Degree College, Siwan.
6. President, Committee of Daroga Prasad Rai degree College, Siwan
7. Sanrakshak, Committee of Daroga Prasad Rai Degree College, Siwan
8. District Magistrate, Siwan.
9. District Education Officer, Siwan.
10. Sub Divisional Officer, Siwan Sadar, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rohit Kumar, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar, GP-20
For the JPU	:	Mr. Bindhyachal Rai, Advocate
		Mr. Chandan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-05-2025 1. Heard learned counsel for the petitioner, learned

AC to GP-20 for the State and learned counsel appearing on

behalf of the Jai Prakash University.

2. Learned counsel appearing on behalf of the

petitioner submits that the instant writ application has been filed

for a direction upon the respondent authorities to pay the wages

to the petitioner with admissible interest which was granted as

aid to Daroga Prasad Rai Degree College, Siwan by the State



Government for the period 2009-10, 2010-11 (till 04.02.2012) during which the petitioner worked as a teaching staff.

3. Learned counsel appearing on behalf of the State submits that a counter affidavit on behalf of respondents no. 1 and 2 has been filed wherein it has been specifically pleaded that the college in question is an affiliated college which is being run and managed by the Governing Body and the affiliated colleges are under direct control of the University in view of Section 21(2)B, Sections 59 and 60 of the Bihar State Universities Act as well as the statute thereunder. Further, in the year 2008, the State Government has decided to abolish the non-aided education policy and decided to provide grant to the affiliated colleges according to the performance of the students in the examination in the particular college and specific direction of the State Government was to distribute the amount to those employees only who have been appointed in accordance with law and working against the sanctioned post in the Degree Colleges which are duly affiliated under the Bihar State Universities Act and statute. It is further submitted that at para 9 of the counter affidavit, it has been pleaded that the government provides grants to the affiliated college through the University, therefore, the University is competent to ensure that



the disbursement of grants provided by the State Government shall be made to the legally and validly appointed employees against the sanctioned posts. Further, the Department of Education vide its memo no. 897 dated 19.07.2017 and memo no. 104 dated 25.01.2018 (Annexures-12 and 14 to the writ application) directed the Registrar of the University to enquire into the matter under the provisions of the Bihar State Universities Act.

4. Learned counsel appearing on behalf of the University submits that the writ application can be disposed of with a liberty to the petitioner to file a representation before the Registrar of the concerned University for redressal of his grievance as raised in the instant writ application.

5. After hearing the learned counsel for the parties, the writ application is disposed of with a liberty to the petitioner to file a detailed representation before the Registrar, Jai Prakash University seeking redressal of his grievance as raised in the instant writ application on or before 21.05.2025. In the event, if any representation on behalf of the petitioner with all the relevant documents is submitted before the Registrar of the University on or before 21.05.2025, in that event, the Registrar of the University shall consider and dispose of the



representation in accordance with law within a period of four months thereafter.

(Satyavrat Verma, J)

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