

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10961 of 2022

1. Om Prakash son of Late Dashrath Prasad, C/o Rajesh Kumar, resident of south gali, Ward No. 11, near Gupta Dhup Factory, Mafi Road, P.S. Warshaliganj, District Nawada (Bihar), Pin-805110.
2. Dr. Pavat Kumar Dhal, son of Banmali Dhal, Talakia, Dharakholi, Baleshwar (Orissa), Pin-756049.
3. Dr. Jayadev Pati, son of Mahadev Pati, Plot NO. 1310 Lane-10, Mallik Complex, Jagnarayana Bhubneshwar VTC, Khandagiri, P.O. / P.S. Khandagiri, District Khurda, Bhubneshwar (Orissa), Pin-751019.
4. Dr. Vivekanand Singh, son of Ramdan Singh, House No. 55/A2 Satyam Colony, outside Bara Gaon Gate, Jhansi (Uttar Pradesh), Pin-282002.
5. Narendra Pandey, son of Shyam Narayan Pandey, Village 67 S.R.O. Road Patharshapati, P.S. Rathar, District Madhupur, Dist. Deoghar, Jharkhand.
6. Dr. Sanjeev Kumar Pandey, Son of Sharda Pandey, resident of Quarr No. B-8, Professors Quarr, M.U. Campus, Bodhgaya, Dist. Gaya.
7. Dr. Nargis Naz, Wife of Nafasat Karim, Rd. No. 05(a, New Karimganj), Near Masjid, Gaya (Bihar) Pin-823001.
8. Dr. Rashmi Sinha, Wife of Avinash Kumar Singh, Dobhi Sherghati Road, Near Khalish Park, Bameshwar Bhawan, Gewal Bigha more, Gaya (Bihar) Pin-823001.
9. Mussarat Jahan, Wife of Salim Jawed, Road No. 1C, Near Masjid, white House Compound, Gaya, Bihar, Pin 823001.
10. Kamran Hasan, son of Mahmood Hasan, resident of Kaghzi Mohalla, Near Iqbal Manzil, P.S. and District Siwan (Bihar), Pin 841226.
11. Aasfaque Ahmad, son of Aas Mohammad, Pasiwar, Rajapur, Siwan (Bihar), Pin-841238.
12. Dr. Sujit Kumar Sinha, Son of Sri Ishwari Prasad, Qr. No. 203, A.P. Colony, P.O. and P.S.-Rampur, District Gaya (Bihar) Pin 823001.
13. Suman Jaiswal, daughter of Prabhujeet Jaiswal, Jaiswal Ultrasound, Manjhauli Road, Mairwa, district Siwan, Pin 841239 (Bihar).
14. Prawez Akhtar, son of Late Zahir Hussain Ansari, Near Falah Insaniyat Ideal School, Rahmat Gunj, Pander Pala, Post Polytechnic, Bishunpur, Dhanbad (Jharkhand), Pin-828130.
15. Munira Jabeern, Daughter of Md. Idris Khan, Amin Manjil, Gewal Bigha, Near Juma Masjid, Police Station Rampur, Gaya (Bihar), Pin 823001.
16. Rameshwar Mishra, son of Lallan Mishra, Village Aghalia Mishra, Post-Bajudih, P.S. Mahuawan, District Gopalganj (Bihar), Pin 841508.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Vice Chancellor, Magadh University, Bodh Gaya, Bihar, Gaya.



3. The Registrar, Magadh University, Bodh Gaya, Bihar, Gaya.
4. The Principal Secretary, Education Department, Government of Bihar, Patna.
5. The Director, Higher Education, Government of Bihar, Patna.
6. The N.C.T.E. Hans Bhawan, Wing-II, 1, Bahadur Shah Zafar Marg, New Delhi-110002.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Adv.
For the State	:	Mr. Madhaw Pd. Yadaw, G.P.-23
For the University	:	Mr. Prakritita Sharma, Adv.
		Mr. Shashank Shekhar Kumar, Adv.
For the NCTE	:	Mr. Sunil Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 20-01-2025 Heard learned counsel for the petitioners and learned
counsels for the respondents.

2. By filing the present application, the petitioners have
prayed for the following reliefs:

*I) An appropriate writ(s)/direction(s)
be issued to the respondent Authorities to
make payment of the salary to the
petitioners which have been not been paid
since last January, 2022.*

*II) An appropriate writ(s)/direction(s)
be issued to the respondent Authorities to
enhance the salary structure and
increments as per decision of this Court
passed in CWJC No. 10534 of 2017 and
analogous cases to which the Hon'ble
Chancellor office has already issued letter
for its compliance.*

*III) An appropriate writ(s)/direction(s)
be issued in the name of the respondent
Authorities more particularly respondent
nos. 3&4 restraining them to transfer the*



account of Education Department (under self finance) and merge into University account it is contrary to the norms of self-finance course as also in the teeth of provisions of National Council for Teacher Education (Recognition Norms and Procedure) Regulation, 2014.

IV) For proper declaration that decision contained in Memo No. 428/22 dated 09.07.2022 (Annexure-14) shall not be applicable in the matter of Education Department courses run under regular/distance mode under self finance scheme.

V) Any other relief(s) for which the petitioners shall be found entitled under the facts and circumstances of the case.

3. Learned counsel for the petitioners submits that all the above mentioned grievances of the petitioners have been redressed, but the third one has not been redressed as yet.

4. In such view of the matter, I deem it proper to direct the petitioners to file a detailed representation before the concerned Authority along with the supporting documents within a period of four weeks from today and concerned Authority is directed to consider the representation of the petitioners and pass a reasoned and speaking order within eight weeks from the date of receipt of representation after affording an opportunity of hearing to the petitioners or through their counsel.



5. With the aforesaid directions, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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