

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20676 of 2025

Upendra Mehta Son of Late Moti Mehta Resident of Mohalla- Shiksha Nagar, Ward No.- 10, Banmankhi, P.O. and P.S.- Banmankhi, District- Purnea, the retired Typist- Cum- Incharge Head Assistant, Gore Lal Mehta College (G.L.M. College), Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, Bhupendra Narain Mandal University, Laloo Nagar, Madhepura.
5. The Registrar, Bhupendra Narain Mandal University, Laloo Nagar, Madhepura.
6. The Finance Officer, Bhupendra Narain Mandal University, Laloo Nagar, Madhepura.
7. The Vice Chancellor, L.N. Mithila University, Darbhanga.
8. The Registrar, L.N. Mithila University, Darbhanga.
9. The Finance Officer, L.N. Mithila University, Darbhanga.
10. The Principal, Gore Lal Mehta College (G.L.M. College), Banmankhi, District- Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Adv
For the L.N.M.U.	:	Mrs. Binita Singh, Adv
For the B.N.M.U.	:	Mr. Ashhar Mustafa, Adv
For the State	:	Mr. Sita Ram Yadav, GP16
		Mr. Rakesh Kumar Shrivastava, AC to GP 16

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 24-12-2025 Heard learned counsel for the petitioner, learned counsel for the B.N. Mandal University, learned counsel for the L.N.M.U. and learned counsel for the respondent-State.

2. With the consent of both the parties, this writ



application is being disposed of at this stage itself.

3. In the present writ application, the petitioner 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 at least the pay-scale of Rs.5500-9000 with effect from 01.01.1996 and its corresponding revised pay-scale in Grade Pay-4200 with effect from 01.01.2006 which is admissible to the post of Assistant pursuant to the order contained in memo no.1192 dated 23.06.2014 issued by the State Government through its Education Department pursuant to the direction of this Hon'ble Court as well as the Hon'ble Supreme Court in the case of Sunny Prakash on the ground that the petitioner was validly appointed as the Typist in the College on 21.05.1976 and subsequently he was authorized to discharge the duties of Head Assistant on 25.03.1991 and since 25.03.1991 till the date of retirement i.e. 31.01.2016 he discharged the duties of Head Assistant

(ii) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities to grant the benefit of first ACP



with effect from 25.03.2003 in the pay-scale of Rs.6,500-10,500 and second MACP with effect from 25.03.2011 in the pay-scale of Rs.7500-12000.

(III) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities to pay the consequential monetary benefits on account of grant of pay-scale of Rs.5500-9000 with effect from 01.01.1996 as well as consequential pay scale on account of grant of benefits of 1st ACP and second MACP such as differences of arrears of salary, pensionary benefits and other consequential benefits with interest in the aforementioned pay-scale.

(IV) 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.”

4. After advancing some argument, learned counsel for the petitioner submits that for the reliefs claimed for in the present writ application, the petitioner has already filed a representation which was sent by register post on 08.09.2022 to the Registrar of the B.N. Mandal University, which continues to



be pending till date. Learned counsel for the petitioner further submits that he would be satisfied if an appropriate direction be issued by this Court to the Registrar of the B.N. Mandal University to dispose of the pending representation of the petitioner on merit, after giving an opportunity of hearing to the petitioner, within a fixed time frame by passing a reasoned and speaking order.

5. To the aforesaid prayer being made by learned counsel for the petitioner, learned counsel appearing for the respondent-parties do not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of directing the Registrar of the B.N. Mandal University to dispose of the pending representation of the petitioner which has been brought on record by way of Annexure-P-8 on merit after giving an opportunity of hearing to the petitioner, within four months from the date of production of a copy of this order by the petitioner. Needless to emphasize that the final order which shall be passed by the Registrar of the B.N. Mandal University should be a reasoned and speaking order. It is made clear that in case, the petitioner is found entitled to the relief which the petitioner has claimed through



the representation, the same shall be extended to the petitioner within a further period of three months from the date of passing of the final order.

7. With the aforesaid observation/direction, this writ application is disposed of. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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