

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2007 of 2026

Mohanand Jha Son of Late Lakshmi Kant Jha, Resident of Village- Khara via Alam Nagar, P.O- Khara Budhama, Ward No. 06, District- Madhepura, Bihar, Pin Code- 852210.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education Department, Vikash Bhawan, New Secretariat, Patna, Pin Code- 800015.
2. The Director, Higher Education Department, Vikash Bhawan, New Secretariat, Patna, Pin Code- 800015.
3. The Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga through its Registrar.
4. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga.
5. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga.
6. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga.
7. The Governing Body of Amilal Babua Sanskrit Up-Shastri College, Khara Budhana, District- Madhepura, Bihar, through its Secretary.
8. The Principal, Amilal Babua Sanskrit Up-Shastri College, Khara Budhana, District- Madhepura, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kaushalesh Choudhary
For the Respondent/s : Mr. Kinkar Kumar, SC-9
Mr. Shashank Shekhar, AC to SC-9

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 09-02-2026 Heard learned counsel for the petitioner and
learned counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

*(i). For issuance of an appropriate writ (s)/
rule(s) /direction(s) in the nature of Mandamus
commanding the respondent concerned, for*



payment of salary and allowances with statutory interest to the petitioner no.1, for the period of 01.03.2013 till 28.02.2015, because the petitioner was scheduled to retire on 28.02.2013, after attaining the age of 60 years, from the post of Assistant Teacher from Amilal Babua Sanskrit UP-Shashtri College, Khara Budhana, District-Madhepura, Bihar; (hereinafter referred as the College), but as the government has decided to enhance the retirement age of such Up-Shastri College teachers up to 62 years, therefore, the petitioner was superannuated from service on 28.02.2015, after attaining the age of 62 years, and he has performed his service up to 28.02.2015, regularly, but salary and allowances for the aforesaid period i.e. 01.03.2013 to 28.02.2015 has not been given to him.

(ii) For grant of other relief / reliefs, to which the petitioners may be found entitled, on the facts and circumstances of the case.

3. Learned counsel for the petitioner by referring to the notification issued by the Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, submits that in respect of the teachers of Up-Shashtri level, their age of superannuation has been extended from 60 to 62 years. While, the petitioner has already discharged their duties till the extended period of superannuation, but for no obvious reason, his salary has not been paid.

4. In order to buttress his submissions, he has taken this Court to the judgment rendered by a Co-ordinate Bench



decision in C.W.J.C. No.7009 of 2013, ***Gulab Jha v. Kameshwar Singh Darbhanga Sanskrit University, Darbhanga and Others*** and C.W.J.C. No.10195 of 2022, ***Md. Ataur Rahman and Others v. The Union of India and Others***, which has been rendered with respect to the University in question.

5. On the other hand, learned counsel for the University and learned counsel for the State submits that the petitioner may be directed to file a representation showing his *bona fide* and as also the documents pertaining to discharge of duties, having been made by this petitioner along with the judgment which has already dealt with the issue in question.

6. Considering the submission of the parties, this Court is of the view that the representation shall be made by the petitioner to the Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga, appending all documents along with a copy of this order, within a period of four weeks, which shall be adjudicated within a period of eight weeks from the date representation and if on adjudication, it is found that the claim of this petitioner is justified, then the benefits shall also be extended to him within the same time.

7. Needless to say that if the petitioner is entitled to



any revision in pay, a separate representation shall be made within the time so allowed and on filing of such application / representation, the grievance of the petitioner shall be considered along with the claim of salary within the same period and the entire grievance of the petitioner, shall be given quietus by passing appropriate order.

8. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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