

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9379 of 2022

Dr. Rishi Muni Upadhyay Son of Late Deep Narayan Upadhyay resident of
Village- Ekawani, Police Station- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary (Higher Education, Human Resource Development Department), Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
4. The Vice-Chancellor, Veer Kunwar Singh University, Ara at Ara.
5. The Registrar, Veer Kunwar Singh University, Ara at Ara.
6. The Principal, D.K. College, Dumraon.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. Nikesh Kumar, Advocate
For the State	:	Mr. Apurva Kumar, A.C. to G.A.12
For the University	:	Mr. Rajesh Prasad Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

16 18-06-2026 Heard the learned counsel for the parties.

2. At the outset, the learned counsel appearing on behalf of the petitioner submits that so far the prayer made in paragraph no.1(i) is concerned, due to passage of time, the same has become infructuous, since the petitioner has crossed the age of superannuation, during pendency of the present writ petition.

3. Accordingly, the prayer made in paragraph no.1(i) is dismissed as infructuous.

4. So far the prayer made in paragraph no.1(ii) and (iii) are concerned, the learned counsel appearing on behalf of



the University, by referring to the supplementary counter affidavit filed on behalf of the University on 23.08.2024, submits that the petitioner has already been paid the amount, for which he was entitled vide Cheque No.'519706' dated 18.08.2023. He submits that an amount to the tune of Rs.3,55,840/- has been paid to the petitioner by the above-mentioned cheque and the same has been received by the petitioner on 19.08.2023, which would appear from Annexure-R/A/1 to the said supplementary counter affidavit.

5. The learned counsel appearing on behalf of the petitioner submits that he has got no instruction with regard to the said fact that whether the cheque was received by the petitioner or not, however he submits that the writ petition can be disposed of in view of the statement made in paragraph no.4 of the supplementary counter affidavit filed by the University and in view of the documents contained in Annexure-R/A/1 and R/B.

6. In view of the statement made in paragraphs no.4 and 5 and the supporting documents annexed therein to the supplementary counter affidavit filed on behalf of the University, this Court is satisfied that the petitioner has been paid his entitlement for his working in the University.



7. Accordingly, the writ petition is disposed as having become infructuous in view of the subsequent development.

8. It is clarified that if Cheque No.‘519706’ dated 18.08.2023 has not been provided to the petitioner till date, the same be provided within a period of two weeks from today.

(Ritesh Kumar, J.)

Sanjay/-

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