

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10037 of 2025

1. Pradip Kumar Mishra, son of Sri Ganesh Mishra, Resident of Ward No. 13, Pastan Navtoli, Pastan, District -Madhubani, Pin Code-847401, presently working as Assistant Professor of Dr. Jagannath Mishra Sanskrit College, Pastan Navtoli, Andharathadhi, Madhubani.
2. Ratish Kumar Jha, C/o Sri Bhairav Jha, resident of 98, Room No. 25, Katwaria Sarai, Hauz Khas, South Delhi, District- Delhi, Pin Code-110016. presently residing at Village and Post-Barsam, P.S.-Rudrapur, District -Madhubani, presently working as Assistant Professor of Dr. Jagamath Mishra Sanskrit College, Pastan Navtoli, Andharathadhi, PETITIONERS. Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Vikash Bhawan New Secretariat, Bihar, Patna.
3. The Secretary, Higher Education, Education Department, Vikash Bhawan New Secretariat, Government of Bihar, Patna.
4. The Deputy Secretary, Higher Education, Education Department, Vikash Bhawan New Secretariat, Government of Bihar, Patna.
5. The Special Secretary, Higher Education, Education Department, Vikash Bhawan New Secretariat, Government of Bihar, Patna.
6. The Director, Higher Education, Education Department, Vikash Bhawan New Secretariat, Government of Bihar, Patna.
7. The In-charge, Pay Verification Cell, Education Department, Government of Bihar, Patna.
8. The Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga through its Registrar.
9. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit Kameshwarnagar, Darbhanga. University
10. The Registrar, Kameshwar Singh Darbhanga Sanskrit University Kameshwarnagar, Darbhanga.
11. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit Kameshwarnagar, Darbhanga. University
12. The Secretary, Dr. Jagarnath Mishar Sanskrit College, Pastan Navtoli, Andharathadhi, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kaushalesh Choudhary, Advocate
For the Respondent/s : Mr. Standing Counsel (26)



CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 20-01-2026

Heard the parties.

2. The petitioners before this Court are the Assistant Professor of Dr. Jagannath Mishra Sanskrit College, Pastan Navtoli, Andharathadi, Madhubani, a duly affiliated College under Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga; who have approached this Court for the following reliefs:

(i) For issuance of an appropriate writ in the nature of CERTIORARI, commanding the concerned respondents for payment of salary to both the petitioners from their date of joining, as petitioner no.1 was appointed on 22.12.2021 to the post of Assistant Professor, in the subject of Sahitya of Dr. Jagannath Mishra Sanskrit College, Pastan Navtoli, Andharathadhi, Madhubani, vide Letter No.G.B.-53/21 dated 22.12.2023, issued by the Secretary of the aforesaid College and the petitioner no.2 was appointed as Assistant Professor in the subject of Jyotish of Dr. Jagamath Mishra Sanskrit College, Pastan Navtoli, Andharathadhi, Madhubani, vide Letter No.G.B.-31/22 dated 07.02.2022, issued by the Secretary of the aforesaid College, though both



the petitioners have been performing their duty, regularly, since the date of their appointment, but their salary has not been paid by the University, though the fund for payment of salary to the teaching and non-teaching employees of the Colleges and University has already been released by the Government of Bihar, every year, to the Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar Darbhanga.

(ii) For issuance of appropriate direction to the respondents 1st set commanding them to issue direction to respondents 2nd set for payment of salary to both the petitioners from the date of their initial appointment, till date.

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

3. Learned Advocate for the petitioners briefly stated that the College, in question, is a deficit grant affiliated College under Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar Darbhanga (hereinafter referred to as 'the University') and the teaching and non-teaching employees are covered with the Triple Benefit Scheme and the employees of such type of Colleges are eligible for pay scale and post retirement benefits, equivalent to the employees of the constituent Colleges as well as employees of the University.



4. The aforesaid issue has also been considered and set at rest by a Bench of this Court in C.W.J.C. No. 8726 of 2017, which has been duly affirmed up to the Apex Court in SLP (C) No. 23489 of 2019; Based upon which the Registrar of the University has also issued Notification No.950 dated 26.06.2021.

5. Notwithstanding the aforesaid fact, when the identically situated persons have not been allowed the salary and other benefits, despite the appropriate fund having been released by the State Government, they have approached this Court in C.W.J.C. No. 6011 of 2025. The learned Single Judge having considered the materials available on record has been pleased to hold as follows:

“6. Learned counsel appearing on behalf of the University informs that after verification, as to whether, the amount which has been released is earmarked in respect of payment of salary of the petitioner and if it is found that the allotted fund also includes for required payment of salary etc. of the petitioner, the same will be paid to the petitioner forthwith.

7. It is expected from the Registrar of the University that he must not delay for any reason or for his any personal intent. He must release after verifying from the information



relating to the petitioner and the information which has been brought on record in the present writ petition.

8. In view of the information given by the learned State counsel that the fund has already been released, the payment must be made to the petitioner forthwith, not beyond a period of one week.”

6. It is further contended that identically situated persons have further approached this Court and their cases have also been disposed of in identical terms. Two of the orders passed by the coordinate Bench as well as this Court in C.W.J.C. No.6230 of 2025 and further in C.W.J.C. No. 14418 of 2025 have also been placed on record.

7. Referring to the afore noted orders passed by a coordinate Bench of this Court, learned Advocate for the petitioners thus contended that the cases of the petitioners are entirely covered with the aforesaid decisions and the Registrar of the University is also obliged to take a final decision in the matter of the claim of the petitioners, since necessary grants have already been released by the State Government. Irrespective of the aforesaid facts and the petitioners have been performing their duty regularly since the very date of appointment, but they are being deprived from their due their



salary.

8. On the other hand, learned Advocate for the University has submitted that for proper adjudication of the matter, a short adjournment is required so that he may file a counter affidavit.

9. Having considered the limited grievance of the petitioners with respect to due payment of salary and other allowances for the period, they have been discharging their duty, it would be apt and proper to dispose of the present writ petition in the light of the above referred decisions with a direction to the Registrar of the University to consider the claim of the petitioners as prayed for and pass appropriate order, in accordance with law, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

10. In case, the claim of the petitioner finds favour, consequential monetary benefit be also accrued to them within the stipulated period.

11. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.01.2026
Transmission Date	NA.

