

Patna High Court - Orders

Shiva Nand Jha vs The State Of Bihar & Ors on 9 August, 2010

IN THE HIGH COURT OF JUDICATURE AT PATNA

CWJC No.14008 of 2006

SHIVA NAND JHA son of late Baldeo Jha, residence of village- Bounsi, P.O. & P.S. Bounsi, District- Banka at present posted as an Assistant in the Marwari College, Bhagalpur.... Petitioner.

Versus

1. THE STATE OF BIHAR through Education Commissioner cum Secretary, New Secretariat, Patna.
2. Vice Chancellor, Tilka Manjhi University, Bhagalpur.
3. Registrar, Tilka Manjhi University, Bhagalpur.
4. Finance Officer, Tilka Manjhi University, Bhagalpur.
5. Principal, Marwari College, Bhagalpur.

.. Respondents.

4. 09.08.2010 Heard counsel for the parties.

The prayer of the petitioner in this writ petition reads as follows:-

"(a) Pay scale 5000 to 8000 as applicable to the Assistant working in the University.

(b) To grant pay scale of Rs.5000 to 8000/- which is being drawn by the Assistant of the University. Moreover, even juniors appointed after petitioner are drawing the said scale.

(c) To grant monetary benefits to the petitioner with effect from 13.10.2003."

Learned counsel for the petitioner in fact would submit that during the pendency of this writ petition while the grievance of the petitioner stands redressed but then the payment of arrears has not been made as yet.

Mr. Ashok Kumar Keshari, learned counsel appearing for the University would submit that if the petitioner would file a representation claiming arrears on different heads as referable to the relief sought in this writ petition, the competent authority of the University would pass an appropriate order within a period of three months from the date of receipt/production of a copy of this order.

That being so, this writ petition is disposed of with a direction to the petitioner to file a self-contained representation enumerating all his claims of arrears as referable to the relief claimed in this writ petition whereafter the competent authority of the University will pass appropriate order within a period of three months from the date of filing of the representation.

It goes without saying that the amount to which the petitioner found entitled will be paid to him in next three months.

With the aforementioned observation and direction, this writ petition is disposed of.

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(Mihir Kumar Jha, J.)