
(2020) 09 PAT CK 0276

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 20850 Of 2019

Dineshwar Kumar Singh

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 22-09-2020

Acts Referred:

Citation : (2020) 09 PAT CK 0276

Hon'ble Judges : Ashwani Kumar Singh, J

Bench : Single Bench

Advocate : Harsh Anuj, Amit Bhushan

Final Decision : Disposed Of

Judgement

1. The counsel for the V.K.S. University Ara has not joined the online Court proceeding being held through video conferencing.
2. The respondent University has not filed any counter affidavit in the matter.
3. The petitioner has filed the instant writ petition for a direction to the respondents to pay remaining amount of unutilized leave salary amounting to Rs. 10,71,000/- (Ten lacs seventy one thousand).
4. The petitioner was appointed as a Lecturer in the Department of Economics of S.V. College Hilsa (Nalanda) and transferred on 01.07.1980 to Jagjiwan College, Ara. He was promoted to the post of Professor. He retired on attaining the age of superannuation on 31.08.2019 as a Professor from Veer Kunwar Singh University, Ara.
5. A counter affidavit has been filed on behalf of the respondent no. 1.
6. Considering the nature of the claim made by the petitioner, the writ petition is disposed of with a direction to the respondent no. 3, the Registrar,

Veer Kunwar Singh University, Ara that in case the petitioner files a fresh representation raising his claim regarding non-payment of remaining amount of unutilized leave salary, he shall be required to consider and dispose of the same by a reasoned and speaking order within six weeks from the date of its filing.

7. In case, the claim of the petitioner is found to be admissible, the payment of the due amount should be made within two weeks from the date of disposal of the representation.

8. In case, the claim of the petitioner is found to be not admissible, the respondent no. 3 shall be required to transmit a copy of the order to the petitioner on his address through registered post.

9. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present judgment:-

(i) The judgment, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my email by the Sr.

Secretary.

(ii) The corrected copy of the judgment shall be transmitted by me from my email id to the Sr. Secretary, which shall be treated to be an authentic copy of the judgment passed by this Court in the present proceeding.

(iii) Hard copy of the judgment duly signed by me shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the judgment be sent to Mr. Harsh Anuj, learned counsel for the petitioner also on his email.

(v) Let steps be taken by the Sr. Secretary/registry for up- loading of the present judgment without compromising with the norms of social distancing.