
(2006) 04 PAT CK 0100
In the Patna High Court
Case No : CWJC No. 5257 of 2000

Dr. Gopal Krishna Thakur

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

Date of Decision : 28-04-2006

Acts Referred:

Citation : (2006) 2 PLJR 595

Hon'ble Judges : Narayan Roy, J

Bench : Single Bench

Judgement

Narayan Roy, J.—Heard Mr. Anil Singh, counsel for the petitioner, counsel for the State and counsel for the respective Universities. The grievance of the writ petitioner is that UGC scale has not been given to him with effect from July 1996 to November 1998 by the Patna University.

2. Counsel for the petitioner submitted that UGC scale has been made admissible to the petitioner and other teachers of the University by virtue of judgment of this Court and in fact, UGC scale is being paid to other teachers but till date the same has not been paid to the petitioner.

3. Counsel for the Patna University, however, submits that the matter of payment of UGC scale of the petitioner is under process.

4. Since there is no dispute about payment of UGC scale to the petitioner the Patna University is directed to make payment of UGC scale to the petitioner with effect from July 1996 to November 1998 as admissible in law within a period of six weeks from the date of receipt/production of a copy of this order.

5. A further grievance has also been made against the respondent L.N. Mithila University for payment of his due salary as enumerated in sub-paragraph (I), (II) and (III) of paragraph 1 of the writ application and also for fixation of his pay during the period with effect from 1.1.1992 to 30.6.1996.

6. No counter affidavit has been filed on behalf of the respondent L.N. Mithila

University.

7. In absence of counter affidavit, in my opinion, it would not be appropriate to issue any direction to the University concerned to pay his due salary and fix his pay scale. However, the petitioner will be at liberty to represent his case before the Vice-Chancellor of L.N. Mithila University for payment of his legal dues and also for fixation of his pay scale with effect from 1.1.1992 to 30.6.1996. In case, any such representation is filed by the petitioner, the same would be considered and disposed of in accordance with law by speaking order. At the same time, the University authority may also consider to review its earlier order dated 18.12.2003, contained in annexure 14 to the writ application. This exercise, however, must be completed within a period of six weeks from the date of filing of the representation by the petitioner. With the direction/observation aforesaid, this application is disposed of.