

(2004) 09 JH CK 0101

In the Jharkhand High Court

Case No : Writ Petition (S) No. 4664 of 2004

Uma Shankar Prasad Srivastava

APPELLANT

Vs

The Vinoba Bhave University and Others

RESPONDENT

Date of Decision : 16-09-2004

Acts Referred:

Citation : (2006) 2 JCR 91a

Hon'ble Judges : S.J. Mukhopadhaya, Acting C.J.

Bench : Single Bench

Advocate : Rakesh Kumar and Akhilesh Kumar, for the Appellant; Indrani Sen Choudhuri, for respondent Nos. 1 and 4 and M.K. Laik, for the Respondent

Final Decision : Dismissed

Judgement

S.J. Mukhopadhaya, A.C.J.

1. Mrs. Indrani Sen Choudhuri accepts notice on behalf of the respondents No. 1 and 4. The State of Jharkhand is being represented by Mr. M.K. Laik, Senior Standing Counsel No. 1. Heard counsel for the parties.

2. In the present case, the petitioner has prayed for a direction on the respondent to grant him the U.G.C. pay scale on the basis of the 5th Pay Revision being effective from 1.1.1986 and to pay him the amount till the date of his superannuation i.e. 31st July, 2004. According to the petitioner, he was appointed as a Lecturer in the department of Economics on 5th July, 1976 in Chas Mahavidyalaya, Chas and was confirmed to the said post. Subsequently, he was promoted to the post of Reader on 20th September, 1989, but later on, reverted to the post of Lecturer. Ultimately, he retired on 31st July, 2004 from the Chas Mahavidyalaya. His grievance is that the authorities have not granted him scale of pay as per the recommendation of the U.G.C.

3. It appears that the petitioner has moved before the Chancellor of the Universities, but there is nothing on the record to suggest that he has moved before the Vice-Chancellor of the University.

4. In the circumstances, the petitioner is given liberty to first approach the Vice-Chancellor of the Vinoba Bhave University who in his turn will enquire into the matter and decide the claim of the petitioner by a reasoned order, preferably, within a period of four months from the date of receipt of the representation. If he finds that the petitioner is entitled for any arrears of salary, he will make a request to the State of Jharkhand for release of fund. In such a situation, the State of Jharkhand will enquire and determine the claim and if any amount is found payable, release the fund for payment to the petitioner within two months from the date of recommendation of the Vice-Chancellor of the University.

5. On the other hand, if the authorities take any adverse decision, will communicate the grounds to the petitioner,

6. The writ petition stands disposed of.