

Dr. Bijendra Pathak Vs. the State of Bihar and ors

Dr. Bijendra Pathak Vs. the State of Bihar and ors

SooperKanoon Citation : sooperkanoon.com/974992

Court : Patna

Decided On : May-11-2012

Appellant : Dr. Bijendra Pathak

Respondent : The State of Bihar and ors

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Miscellaneous Jurisdiction Case No. 248 of 2009 Dr. Sarb Narayan Mishra Versus The State of Bihar & Ors with Miscellaneous Jurisdiction Case No. 250 of 2009 Dr. Bijendra Pathak Versus The State of Bihar & Ors ----- 07. 11.01.2012 The petitioner of MJC No. 248 of 2009 has submitted that similarly placed petitioners moved for contempt in which a direction was given to the University to make payments for 131 days of strike period if the teachers had compensated by giving extra classes and certificate was given in the said regard also to make payments as per the new rules and group insurance @ 12.5%. The grievance of the petitioner that he has now been considered a Reader for fixing his pensionary benefits even though he was a Professor for which he has filed a separate writ application. The stand of the University is that it is ready to make payments to the petitioner considering him that a Professor if the Writ Court so decides in his favour. The petitioner orally submits that he is ready to accept his position as Reader till the disposal of the writ but the scale which has been fixed by the University considering him a Reader is lower to that which he is entitled. He prays for one week adjournment for filing a 2 supplementary-affidavit in this regard. Put up after one week retaining its position for filing a supplementary-affidavit substantiating the claim of the petitioner with

regard to his pay-scale. The petitioner of MJC No. 250/2009 has died during the pendency of this application and IA has been filed for substituting his wife namely Hena Devi. The same is allowed. Since the same issue arises even in this application one week adjournment is allowed for filing supplementary show-cause bringing on record the pay- scale to which they are entitled. (Anjana Prakash, J.) Vikash/-

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com