

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6119 of 2015

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Satya Narayan Thakur, Son of Late Ram Bilash Thakur, Resident of
Mohalla/village - Professor Colony, P.S.- Madhubani Town, District -
Madhubani.

.... Petitioner/s

Versus

1. The Vice Chancellor of L N M University Darbhanga.
2. The Registrar L N M University Darbhanga.
3. The Finance Officer L N M University Darbhanga.
4. The Principal R.K. College Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat, Advocate.

For the Respondent/s : Mr. Chandra Mohan Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 03-07-2015

Heard learned counsel for the parties.

2. Having regard to the nature of relief sought in this writ application relating to retirement benefit, this Court must straightway reject the claim of difference of salary and Ph.D. increment, which do not altogether come within the ambit of retirement benefit. The petitioner, however, may agitate those two grievances, namely, the difference of salary and Ph.D. increment before an appropriate authority/court.

3. Reverting back to the rest of the grievance, this Court would find that the petitioner claims that the authorities have not paid the Leave Encashment, Gratuity and amount of GIC payable to his wife who died in harness on 13.04.2015. Since,

such prayer also does not go to show that other retirement benefit including the pension has been paid to the petitioner, this Court, instead of keeping this writ application pending, would find it expedient in the ends of justice to direct the authorities of the L.N.M. University, Darbhanga to ensure that whatever admitted amount of Leave Encashment, Gratuity and GIC is found payable to the wife of the petitioner, must be paid to her nominee, as per the records, within a period of three months from the date of receipt of a copy of this order.

4. It goes without saying that if the University does not find any amount payable or refuses to pay, either full or part, any amount of Leave Encashment, Gratuity and G.I.C., it must disclose the reasons for the same and communicate to the petitioner within the same period of three months.

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

(Mihir Kumar Jha, J)

Sujit/-

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