

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.1497 of 2014**

**In**  
**Civil Writ Jurisdiction Case No. 5306 of 2007**

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Rabindra Nath Singh son of Dr. Shiva Shankar Prasad, resident of Mohalla-  
Rai Sahibs Tank P.S. Laheriasarai, Darbhanga

.... .... Petitioner/s

Versus

1. Dr. Saket Kushwaha, the Vice Chancellor, L.N.M. University,  
Darbhanga
  2. Dr. Md. Rahmatullah, the Principal Marwari College Madhepura
  3. Mr. Vijay Kumar Singh, the Registrar, LNM, University, Darbhanga
- .... .... Opposite parties
- =====

**Appearance :**

For the Petitioner/s : Mr. Shankar Kumar Choudhary  
For the Respondent/s : Mr. Ajay Behari Sinha

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

5      11-03-2015              Heard Mr. Choudhary for the petitioner and Mr. A. B.  
Sinha for the LNM University and its officials (opposite parties).

A show cause after payment of cost has been filed on  
behalf of the Authority of the University.

The writ application was disposed of by order dated  
27.02.2012 (Annexure-1) directing the petitioner to make a  
representation detailing his claim with regard to post retiral dues  
which was directed to be examined and disposed of within two  
months from the date of its filing/presentation. The Court further  
observed that if in the opinion of the respondent concerned those  
claims are valid and required to be paid to the petitioner the said  
respondent shall take all effective steps/measures to ensure

authorization of those dues in his favour within one month thereafter.

Mr. Sinha with reference to Annexure-A to the show cause has submitted that the entire pre and post retiral dues payable to the petitioner were examined and the same have been authorized except 60% of arrears of revised pension. As per the resolution of the Finance Department of the government, 40% of such dues have been paid to all the employees. Remaining 60% of the dues shall be paid as soon as the fund is made available. He has therefore submitted that the remaining 60% of the arrears of revised pension shall be paid as soon as the fund is made available to the University. As about payment of 55 days of unavailed earned leave it has been submitted that the authority will re-examine with reference to the records as to whether the petitioner did discharge extra duty entitling him for the said payment. A stand has been taken that within one month such verification shall be made and if the petitioner is found entitled to encasement of those 55 days unavailed earned leave the same shall be authorized in his favour.

Noticing the aforesaid stand taken by Mr. Sinha this Court is satisfied that the order passed on the writ petition has substantially been complied with by the opposite party.

The contempt application does not merit further persuasion. It is accordingly dismissed.

**(Kishore Kumar Mandal, J)**

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