

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25238 of 2013

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Sachindra Kumar Singh son of Late Bishwanath Prasad Singh, University
Quarters, Khabra Road, Muzaffarpur.

.... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar,
Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. B.R.A. Bihar University, Muzaffarpur through its Registrar
5. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
6. The Registrar, B.R.A. Bihar University, Muzaffarpur.
7. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Respondent/s : Mr. AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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6 15-01-2015 Heard learned counsel for the petitioner, learned AC to

AAG-13 and Sri Dhruv Mukherjee, learned Senior Counsel, who

has appeared on behalf of Respondent/B.R.A. Bihar University.

The petitioner, who retired on 31.08.2008, invoking
writ jurisdiction under Article 226 of the Constitution of India, has
prayed for making payment of difference of pension amount and
other retiral dues.

In this case, a counter affidavit has been filed on behalf
of Respondent nos. 4 to 7, wherein it has been indicated that
almost all retiral dues of the petitioner have already been paid.



Only in respect of difference of pension, it has been indicated that out of difference of pension amount from 01.09.2008 to 25.06.2009, total 15 % and 40 % has already been paid and rest 45 % shall be paid as per State Government Guidelines after receipt of grant. Similarly, in respect of gratuity, it has been indicated that till date 3,50,000/- has already been paid and request has been made by the University to the Government for release of fund vide letter no.B/2420 dated 22.11.2014 for clearing remaining claimed amount of gratuity. It was accepted that the petitioner is entitled to get Rs.10, 00,000/- as gratuity, out of which Rs.3,50,000/- has already been paid.

Learned counsel for the petitioner accepts that the amount, which has been shown outstanding by the University, is correct.

In view of facts and circumstances, particularly the fact that most of retiral dues have already been paid and steps are being taken to clear the remaining amount, the writ petition can be disposed of with a direction to Respondent nos. 1 to 3 to take immediate steps for allocating adequate fund to the University in view of request made by the University, if the same has not been released, and immediately after receipt of such fund, the University is required to make payment.

With above observation and direction, the writ petition
stands disposed of.

(Rakesh Kumar, J)

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