

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10546 of 2012

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Shakuntala Thakur, Widow of Late Ram Kamal Thakur (Ex-Professor of Psychology, MSSG College, Areraj)-Presently Residing at 'Bhardwaj Ashram', P.O. Motihari, P.S. Motihari Sadar, District East Champaran (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary.
2. Secretary, Department of Finance, Government of Bihar, New Secretariat, Bailey Road, Patna – 800001.
3. Bhim Rao Ambedkar Bihar University, Muzaffarpur through its Registrar.
4. Vice Chancellor, BRA Bihar University, Muzaffarpur.
5. Principal, MSSG College, Areraj, East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 12-10-2015

Heard learned counsel for the parties.

On 08.10.2015, in view of the stand taken in the counter affidavit showing payment of all admitted dues, except for 45% of arrears arising out of the UGC pay scale, at the request of learned counsel for the petitioner, for being given an opportunity to verify the facts, the matter was adjourned.

From the materials brought on record, the Court finds that admitted dues to the petitioner have been paid except for the 45% arrears of salary on account of UGC scale which, as per the stand of the respondent University, shall be paid after verification done by the Pay Verification Cell of the State Government in terms of the direction of the State. Learned counsel for the University submits that the matter has already been

referred to the Pay Verification Cell by the University. In case the matter has not been sent to the Pay Verification Cell, learned counsel for the University submits that the same shall be done within one week. The Pay Verification Cell shall ensure that the matter is taken to its logical conclusion within two weeks from the matter being sent to it.

In view of the aforesaid, the writ petition stands disposed off with a direction to the State authorities to ensure that the matter is finally taken to its conclusion by the Pay Verification Cell and the decision communicated to the University within two weeks from today or the date of such reference, whichever is earlier. The University shall thereafter ensure that the remaining 45% dues are paid to the petitioner within the next two weeks.

Learned counsel for the State as well as the University shall communicate the order to the parties for compliance.

Further liberty is given to the petitioner to file an appropriate representation before the respondent no. 3 within four weeks from today along with a copy of this order if she finds any discrepancy in the calculation or any other entitlement for which payment has not been made to her. If such a representation is filed, the respondent no. 3 shall get the same verified and pass an appropriate order within three weeks from the date of filing of such representation. If it is found that the petitioner is entitled to any further payment, the same shall be paid within two weeks

from the respondent no. 3 taking a final view in the matter.

The petitioner shall also be entitled to raise a claim with regard to payment of statutory interest on the delayed payment in accordance with law before the authorities.

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(Ahsanuddin Amanullah, J.)