

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2423 of 2015

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Jhabri Devi, Wife of Late Ramu Mukhiya, Resident of Vidyapati Nagar
Near Purnea College, Purnea P.S. K. Hat District - Purnea.

.... Petitioner/s

Versus

1. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
2. The Secretary, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
3. The Principal, Purnea College, Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.

For the Respondent/s : Mr. Raju Giri, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

3 10-03-2015

Heard learned counsel for the parties.

2. The prayer of the petitioner in this writ application

reads as follows:

"1. That the petitioner, who is the wife of late Ramu Mukhiya a peon in Purnea College, Purnea prays for issuance of a writ in the nature of Mandamus or an appropriate, order or direction commanding and directing the Respondents to pay the Family pension, due amount of arrears of pension, D.A., Group Insurance, Earned Leave and Gratuity and other consequential benefits which is still pending and that could not be paid till date for the reasons best known to the Respondents authority concerned.."

3. Learned counsel for the petitioner has submitted that the petitioner has not been paid her due admissible amount on the head of family pension as well as arrears of pension of her husband, the amount of Leave Encashment and Gratuity as also Group Insurance, even when there is no dispute inasmuch as the husband of the petitioner was a regular employee of Bhupendra

Narayan Mandal University, Madhepura (hereinafter referred to as 'the University') and had retired on 31.05.2009. He explains that the husband of the petitioner had died on 29.01.2014, but due amount of post retirement benefit of her husband as well as family pension has not been paid to her as yet.

4. Learned counsel for the University submits that though he has not been able to file the counter affidavit but then he has received instruction telephonically from the competent authority of the University that all the admissible amount of dues of retirement benefit of the husband of the petitioner as well as family pension of the petitioner shall be paid within a period of ten days from today.

5. Thus, recording the aforementioned undertaking given on behalf of the respondent University and its officials, this writ application is disposed of with a direction to the respondent nos. 1 and 3 to ensure that all the admissible and payable amount of retirement benefit of the husband of the petitioner including the arrears of pension, Gratuity, Leave Encashment, Group Insurance as well as the arrears and current amount of family pension must be paid to the petitioner, within a period of ten days from today.

6. Having made such payment, the Registrar of the University shall also immediately furnish a calculation sheet to the

petitioner with full breakup of the amount paid to the petitioner on the different heads of retirement dues of her husband as well as family pension.

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

(Mihir Kumar Jha, J)

Sujit/-

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