

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10369 of 2015

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(Dr.) Surya Narayan Yadav son of late Babujee Yadav, resident of village Gorpar, P.O. Uad-Kishunganj, P.S. Behariganj, District Madhepura,
..... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Bihar, Patna,
 2. The Principal Secretary, Human Resources Development Department, Bihar, Patna,
 3. B.N. Mandal University, Lalu Nagar, Madhepura through its Registrar,
 4. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura
 5. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura,
 6. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura,
..... Respondents
- =====

Appearance :

For the Petitioner : Mr. Binodanand Mishra, Advocate
For the State : Mr. Kamalesh Kumar Sharma, AC to SC 22
For the University: Mr. Shashi Bhushan Singh, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner, the State and the University.

It is admitted position that the petitioner is getting monthly pension but it is contended that all other retiral dues, such as, gratuity, leave encashment and group insurance etc. along with its statutory interest have not been paid as yet though the petitioner had retired on 31.07.2014 itself.

In above view of the matter, this writ application is being disposed of with a direction to the Registrar of the respondent-University to immediately examine the case of the petitioner and ensure payment of the admitted retiral dues within a period of two

months from the date of receipt/production of a copy of this order.

In case some of the dues are not found payable to the petitioner then he would be required to pass a reasoned order. It is further clarified that if the dues of the petitioner are admitted and not paid within the foresaid period then the respondent-University would be obliged to pay simple interest at the rate of 10% per annum upon the admitted unpaid amount to be calculated from the date the same became due till the date of payment.

If the amounts of gratuity and leave encashment have not been paid to the petitioner along with other teachers and a requisition for release of such fund has been already sent to the State then the State authority concerned should also take steps for release of the admissible fund within a period of one month. However, it is clarified that if payment has not been made in the individual case of the petitioner then the respondent-University would have to carry out the aforesaid direction of this Court within the aforesaid period.

(Dr. Ravi Ranjan, J)

SC/-

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