

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1932 of 2010

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Ejaz Imam, son of Late Md. Hussain Imam, resident of 210/211 Abu Fakhruddin Plaza, Langar Toli More, Baripath, Patna-800006.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. Anjani Kumar Singh, the Principal Secretary, Human Resources Development Department, Bihar, Patna.
2. Mr. Anjani Kumar Singh, the Principal Secretary, Human Resources Development Department, Government of Bihar, Vikash Bhawan, Patna.
3. Jai Prakash University, Chapra, through Mr. Vijay Pratap Kumar, Registrar-Saran at Chapra.
4. Mr. Ram Vinay Sharma, the Vice Chancellor, Jai Prakash University, Chapra, District Saran at Chapra.
5. Registrar, Sri Vijay Pratap Kumar, Jai Prakash University, Chapra, District Saran at Chapra.
6. Baba Saheb Bheem Rao Ambedkar Bihar University, Muzaffarpur through Vikash Yadav, District Muzaffarpur.
7. Mr. Rajdeo Singh, the Vice Chancellor, Baba Saheb Bheem Rao Ambedkar Bihar University Muzaffarpur, District Muzaffarpur.
8. Sri Vibhash Yadav, the Registrar, Baba Saheb Bheem Rao Ambedkar Bihar University Muzaffarpur, District Muzaffarpur.
9. Daya Kant Mishra, the Finance Officer, Jai Prakash University, Chapra District Chapara.

.... Opposite parties. /s

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Appearance :

For the Petitioner/s : Mr. SUBH NARAYAN SINGH
For the Respondent/s : Mr. (GP14)
Mr. A.B.Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 17-04-2015

Heard learned counsel for the petitioner, learned counsel for the J.P. University, learned counsel for the B.R.A.B University and also learned counsel for the State.

The present contempt application has been filed for noncompliance of the order dated 18.11.2009 passed in



C.W.J.C. No. 15700 of 2009 whereunder the writ application was disposed of with direction that in case representations are filed by the petitioner within a period of six weeks from today along with the certified copy of the present order as also the copy of the relevant documents in support of the claim, the concerned respondent shall consider the grievance as raised in the representation in accordance with law expeditiously preferably within a period of four months on receipt of such representation so that upon consideration the admitted retrial dues could be paid to the petitioner with statutory interest without delay. However, if any of the claims of the petitioner is found not payable the same shall be communicated to the petitioner along with reasons thereof.

Learned counsel for the Jai Prakash University submits that in compliance of the order of the writ court, representation of the petitioner has been decided by the Registrar on 19.02.2015 wherein the petitioner's UGC salary arrear with effect from 01.10.1996 to till his retirement, i.e., for the period of 01.10.1996 to 31.03.1997 amounting to Rs.92,783/- and 01.04.1997 to 31.03.1999 amounting to Rs.99,783/- have already been paid by the University. It is further submitted that the excess amount of Rs.1,10,088/- as



paid in the head of earned leave to the petitioner has been deducted by the University from the arrears of salary of the petitioner. The petitioner's pension has been revised by the University with effect from 01.01.1996 and thereafter on the basis of revision of pension of the petitioner, the arrear of pension for the period of 01.04.2007 to 31.07.2012 amounting to Rs.5,35,610/- has been calculated and out of which 55% amounting to Rs.2,94,586/- has already been paid by the University. The cumulative amount of Group Insurance inclusive of interest @ 12.5% amounting to Rs.17,065/- has already been paid by the University vide its Cheque No. 466540 dated 01.12.1999. It is also submitted that the merger of 50% D.A. in his basic pension on 01.01.2005 will be paid by the University after verification by the Government Auditor, which would appear from paragraphs 5 to 9. Annexure A and B of the supplementary show cause filed on behalf of the J.P. Univeristy on 06.04.2015.

Learned counsel for the Bheem Rao Ambedkar Bihar University submits that total admissible dues amounting to Rs.10,000/- would be paid within two weeks.

Since in the light of the order of the writ Court, claim of the petitioner has been considered and maximum

admitted dues have been paid and rest is in process of payment as such no further action is required. Accordingly, this contempt application is disposed of. If the petitioner feels any grievance further, he may take recourse in accordance with law before the appropriate forum.



(Rajendra Kumar Mishra, J)

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