

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 20289 of 2012

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Dr. Ram Darshan Pandey, Son of Late Ram Charit Pandey, Resident of Bhabha Nagar, N.H. 28, Chowk, Bhagwanpur, P.S- Sadar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education, Government of Bihar, Patna.
2. The B.R.A Bihar University, through its Registrar having Office at Muzaffarpur.
3. The Vice- Chancellor, BRA Bihar University, Muzaffarpur.
4. The Director, Higher Education, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sri Niwas Jha, Advocate.
For the State	:	Mr. Santosh Kumar Jha, G.P. 3.
For the B.R.A. Bihar University :	:	Mr. Vikas Ratan Bharti, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 04-09-2015

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that his grievance now remains only with regard to payment of 45% of the arrears of salary and pension on account of 6th Pay Revision and also payment of 5% interest in terms of the order dated 03.03.2008 passed in C.W.J.C. No. 10770 of 2006.

As per the stand of the respondents, the arrears of salary and pension were required to be paid in installements as the State Government was releasing funds phase wise. However, it is admitted that the last 45% of such amount has also been received from the State Government and would be distributed to the persons entitled for the same shortly. The liability to pay 5% interest on delayed payment as per the order of the Court is also

not denied.

In view of the aforesaid, the writ application stands disposed off with as direction to the respondent no. 2 to pay the remaining 45% of the arrears of salary and pension as well as 5% of interest on delayed payment within four weeks from the date of production of a copy of this order before him.

At this stage, learned counsel for the petitioner submits that another grievance of his relating to withdrawing the benefit of increments granted to him for holding Ph.D degree prior to 01.01.1996 also remains. Be that as it may, the petitioner shall be at liberty to file a representation before the respondent no. 2 in this regard also enclosing all supporting documents including order of the Court(s), if any. The same, if filed within four weeks from today along with a copy of this order, shall be looked into by the concerned respondent and if it is found that there is judicial order with regard to admissibility of the said increments by the petitioner, any deductions made on that score shall be refunded to the petitioner within the next three weeks.

(Ahsanuddin Amanullah, J.)

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