

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8934 of 2008

Dr. (Mrs.) Kanti Prasad, wife of Dr. Uday Shankar Prasad, resident of B/136, V. B. Birla Colony, Phulwarisharif, P.S.-Phulwari Town and District-Patna.

.... Petitioner/s

Versus

1. The T.M. Bhagalpur University, Bhagalpur, through its Registrar
2. The Vice-Chancellor, T. M. Bhagalpur University, Bhagalpur
3. The Registrar, T. M. Bhagalpur University, Bhagalpur
4. The Finance Officer, T. M. Bhagalpur University, Bhagalpur
5. The Principal, T. N. B. College, Bhagalpur
6. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna
7. The Secretary, Department of Finance, Government of Bihar, Old Secretariat, Patna.
8. The Secretary, Department of Finance, Government of Bihar, New Secretariat, Patna
9. The Director, Department of Higher Education, Government of Bihar, New Secretariat, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kr. Jha
For the Respondents 1 to 5 : Ms. Mallika Mazumdar
For the Respondents 7 to 9 : Ms. Neelam Prasad, A.C. to G.P.25

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 27-03-2015

The petitioner retired from the service of the T.M. Bhagalpur University, Bhagalpur – 1st respondent on 28.02.2006 and she was sanctioned pension. However, she has got certain grievances, such as pension between 01.03.2006 and 31.03.2007 was paid at a lesser amount, the group insurance amount was not properly calculated and that interest on delayed payment of gratuity was not paid. In respect of these, the writ petition has been filed.

The respondents have filed counter affidavit stating that though the petitioner was required to file calculation chart, she does not comply with the same.

Heard Sri Purushottam Kumar Jha, learned counsel for the petitioner and Ms. Mallika Mazumdar, learned counsel for the respondents 1 to 5 and Ms. Neelam Prasad, learned counsel for the respondents 7 to 9.

The adjudication into the claim of the petitioner needs verification of several disputed questions of fact. It is only when there is no disputed question of fact; this Court can come out with adjudication. On their part, the respondents offered to look into the grievance of the petitioner, if the relevant facts and figures are furnished.

Therefore, this writ petition is disposed of leaving it open to the petitioner to submit a detailed representation to the respondents ventilating her grievance. As and when such representation is made, the University shall pass an order within two months from the date of receipt of the representation.

(L. Narasimha Reddy, CJ)

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