

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6202 of 2012

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Kameshwar Nath Pandey Son of Late Baidyanath Pandey, Retired Principal of B.D. Evening College Mithapur, Patna and at present Resident of Diwan Mohalla, Pandriwa Lane, P.S.- Khajkalla, Patna City, Patna.

.... Petitioner/s

Versus

1. The Magadh University, Bodh Gaya, District-Gaya through its Vice Chancellor.
2. The Chancellor, Raj Bhawan, Patna, Bihar.
3. The Vice Chancellor Magadh University, Bodh Gaya, District- Gaya.
4. The Registrar, Magadh University, Bodh Gaya, District- Gaya.
5. The Finance Officer, Magadh University, Bodh Gaya, District- Gaya.
6. The Principal, B.D. Evening College, Mithapur, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Agrawal, Advocate.

For the Magadh University : Mr. Vipin Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 26-11-2015

Heard learned counsel for the parties.

In view of the observations made by the Court in its order dated 24.11.2015, though there seems to have been delay in payment of retiral dues of the late father of the petitioner, but the matter having been adjudicated before the High Court in three different proceedings and no specific order with regard to interest having been passed coupled with the fact that the original beneficiary or his spouse are no more alive and substantial amount having been received by the petitioner, who was his son, the Court is not inclined to pass any order with regard to interest on delayed payment.

Accordingly, the writ application stands disposed off.

In view of the position relating to encashment of 240 days of earned leave, since the amendment has not been approved by the Hon'ble Chancellor as per the statutory requirement, the Court can only observe that in the event of such amendment being approved in the statute pertaining to encashment of accumulated earned leave, the case of the petitioner shall also be considered and if payment is due the same shall be paid to him. The petitioner shall also be at liberty to represent in the matter before the Hon'ble Chancellor of the University.

(Ahsanuddin Amanullah, J.)

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