

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10873 of 2015

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1. Nirmal Kumar Jha
 2. Shishir Kumr Jha
 3. Ashok Kumar Jha, all sons of Late Jai Govind Jha, resident of village Balia, P.S. Lakhnour, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Bihar, Patna.
2. Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. Director, Higher Education, Government of Bihar, Patna.
4. B. N. Mandal University, Laloo Nagar, Madhepura through its Registrar.
5. The Vice Chancellor, B. N. Mandal University, Madhepura.
6. Registrar, B. N. Mandal University, Madhepura.
7. The Finance Officer, B. N. Mandal University, Madhepura.
8. The Finance Advisor, B. N. Mandal University, Madhepura.
9. The Principal, Nirmali College, Nirmali, Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binodanand Mishra

For the Respondent/s : Mr. Shashi Shekhar Kumar Pd., A.C. to SC 13

For the University : Mr. Shashi Bhushan Singh.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 31-07-2015 Heard learned counsel for the petitioners, the State and B. N. Mandal University.

The petitioners claim that their father retired on 30.04.2002 from the post of Professor-in-charge of Nirmali College, Nirmali which is a constituent College under B. N. Mandal University, Madhepura. However, not a single farthing towards retiral benefits could be paid till date though in the meantime, father of the petitioners died on 03.06.2003.

In view of the aforementioned submissions, this



writ application is being disposed of with a direction to respondent no. 5, the Vice Chancellor, B. N. Mandal University, Madhepura to consider the claim of the petitioners and take a decision within six weeks from the date of receipt/production of a copy of this order. If he comes to the conclusion that the petitioners' father was entitled for retiral benefits but the same could not be paid till date then the petitioners would be entitled for simple interest at the rate of 10 per cent per annum to be calculated from the date the same became due till the date of its final payment in addition to the statutory interest, if any, upon un-paid admissible amount. The entire payment should be made within a further period of four weeks from the date of taking such decision.

It is further clarified that if the petitioners' claim does not find favour with respondent no. 5, then a reasoned order would be required to be passed and communicated to the petitioners.

(Dr. Ravi Ranjan, J)

Amin/-

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