

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25641 of 2013

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Vishnu Deo Mahto S/O Late Dhanpat Mahto, resident of village- Chak, Bangar, P.O- Kubouti Ram, P.S- N.H. Bangose, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Higher Education Department, Patna.
2. Vice- Chancellor, L.N.M.U., Kameshwar Nagar, Darbhanga.
3. The Registrar, L.N.M.U. Kameshwar Nagar, Darbhanga.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Respondent/s : Mr. AC to GA-6

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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9 05-01-2015 Heard learned counsel for the petitioner, learned AC to GA-6 as well as Smt. Binita Singh, learned counsel, who has appeared on behalf of respondent nos.2 and 3/ L.N.M. University, Darbhanga.

In the present writ petition filed under Article 226 of the Constitution of India, the petitioner has prayed for payment of arrear of pension for the period of January 2010 to September 2012 and payment of arrear of salary for the period of 1980-81 to 2009-10. The petitioner has retired as Lab. Boy on 31.12.2009 from L.K.V.D. College, Tajpur under the L.N.M. University.

In this case, a counter affidavit on behalf of respondents, particularly respondent/ University, has been filed,



wherein it has been indicated that arrear of salary has already been paid. So far as arrear of pension is concerned, as per calculation it had come to the tune of Rs.89,112/-, out of which total amount of Rs.35,203/- has already been paid. Regarding remaining amount, a plea has been taken that it will be paid, as and when grant under the head is released by the State Government. Of course, by filing reply learned counsel for the petitioner has raised dispute regarding claim amount. Fact remains that as per admission of the University, out of Rs.89,112/- under the head of arrear of pension only Rs.35,203/- has been paid and remaining amount is required to be paid, which has been accepted in its counter affidavit.

Keeping in view the meager amount the Court is of the opinion that writ petition can be disposed of with a direction to the Registrar of L.N.M. University to take all steps for payment of remaining amount of arrear of pension, as has been admitted in the counter affidavit, preferably within a period of two months from the date of receipt/production of a copy of this order. Regarding claim of arrear of salary, the petitioner would be at liberty to approach the Registrar of the University by way of filing a detailed representation. If such representation is filed, the Registrar of L.N.M. University is required to examine the same and pass appropriate order in accordance with law preferably

within a period of two months from the date of filing of such representation.

With above observation and liberty, the writ petition stands disposed of.

(Rakesh Kumar, J)

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