

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20159 of 2014

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Pyari Kuer widow of Late Lallan Tripathi, resident of village- Bharigawa, Post
Office- Sahuka, P.S.- Ramgargh, District- Kaimur at Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resource Department
(Higher Education Department), Bihar, Patna
2. The Director, Higher Education Department, Bihar, Patna
3. The Vice-Chancellor, Veer Kumar Singh University, Ara
4. The Registrar, Veer Kumar Singh University, Ara
5. The Finance Officer, Veer Kumar Singh University, Ara
6. The Principal, Gram Bharati College, Ramgarh, District- Kaimur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate
For the State : Mr. Shiv Shankar Prasad, S.C.-8
For the University : Mr. P.K.Verma, Sr. Advocate
: Mr. Kinkar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 14-12-2016

The husband of the petitioner Late Lallan Tripathi was
appointed on the post of Office Assistant on 6.2.1981 in Gram Bharati
College, Ramgarh. While in service, he died on 17th June, 2008.

2. The present writ petition has been filed by the petitioner
for directing the respondent- authority to pay arrear of family pension,
arrear of salary of the petitioner's husband, arrear of Gratuity and



revised claim of Earned Leave Encashment as also to pay Group Insurance amount.

3. At the outset, learned counsel for the petitioner has conceded that, during the pendency of the writ petition, all the grievances of the petitioner except grievance relating to arrear of salary of the petitioner's husband have been redressed. It is contended by the learned counsel for the petitioner that till date arrear of difference of salary from January, 1996 to June, 2008 of the petitioner's husband has not been paid to the petitioner.

4. In reply, learned counsel for the University has submitted that since fund is not available under the head for payment of arrear of difference of salary and, as such, a requisition for the aforesaid amount has been sent to the Director, Higher Education, Government of Bihar on 14th May, 2016 and as soon as fund would be provided by the State Government admissible payment would be made to the petitioner.

5. Keeping in mind the fact that there is no denial on behalf of the University regarding claim of the petitioner in respect of arrear of difference of salary from 1996 to June, 2008, the respondents no.3 and 4 are hereby directed to make payment of the admissible arrear of difference of salary to the petitioner within three months from the date of production of a copy of the order failing which the petitioner would



be entitled to receive eight per cent interest over the amount from the date it became due till the date of actual payment.

6. With the aforesaid observation and direction, the writ application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	15.12.2016
Transmission Date	

