

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 19056 of 2015

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Shanta Kumari, wife of Dr. Bimal Kumar, resident of Municipality Road,
Madhubani, Opposite Electricity Office, P.S.- Madhubani, District- Madhubani.

.... Petitioner/s

Versus

1. The Vice Chancellor, Lalit Narayan Mithila University, Darbhanga.
2. The Registrar, Lalit Narayan Mithila University, Darbhanga.
3. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.
4. The Principal, J.M.D.P.L. Mahila College, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 01-03-2016

Heard learned counsel for the parties.

The petitioner seems to have received her admitted
retiral dues. However, learned counsel for the petitioner has
brought to the notice of the Court that on the one hand 131 days
have been adjusted from the earned leave on account of strike
period whereas on the other hand no salary has been paid to the
petitioner for that period also. She thus, submits that once she
has not been paid for the strike period, the adjustment cannot be
made a second time from her earned leave as that would amount
to double deduction which the law does not permit.

From the materials on record, the Court is not
able to come to a definite conclusion as to whether the
contentions of learned counsel for the petitioner is justified as the
same has to be worked out by the University based on their
records and the procedure they have adopted with regard to their

employees generally and which may have support of the relevant rules and regulations including any agreement between the parties or the unions.

Accordingly, the writ petition stands disposed off with liberty to the petitioner to file appropriate representation before the respondents no. 2 and 3. The petitioner is also at liberty to point out any discrepancy with regard to computation of earned leave dues and remaining salary, if any. If such a representation is filed within four weeks from today along with a copy of this order, the respondents no. 2 and 3 shall look into the same and pass a reasoned order within three weeks from the date of filing of the representation. If any further payment is required to be made pursuant to the order passed by the respondents, the same shall also be paid to her within three weeks from the filing of the representation.

(Ahsanuddin Amanullah, J.)

P. Kumar/-

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