

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11955 of 2013

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1. Shiva Narayan Prasad Son Of Shakti Prasad Retired Assistant J.R.S.
College Jamalpur Resident Of Mohalla - Sikandarpur, Post Office
Jamalpur, P.S. East Colony Jamalpur, District - Munger

.... Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University Through The Registrar
2. Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur
3. Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
4. Finance, Tilka Manjhi Bhagalpur University, Bhagalpur
5. State Of Bihar Through The Principal Secretary Human Resources
Development Department, Bihar, Patna
6. Director, Higher Education, Government Of Bihar, Patna

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.12067 of 2013

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1. Rajendra Prasad Sahu Son Of Late Mahavir Mandal Retired Clerk Of
J.R.S. College Jamalpur Resident Of Mohalla Sikandarpur Post Office
Jamalpur P.S. East Colony Jamalpur District Munger

.... Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University Through The Registrar Null Null
2. Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur
3. Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
4. Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur
5. State Of Bihar Through The Principal Secretary Human Resources
Development Department, Bihar, Patna
6. Director, Higher Education, Government Of Bihar, Patna

.... Respondent/s

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Appearance :

(In CWJC No.11955 of 2013)

For the Petitioner/s : Mr. Sujeet Kumar Sinha, Advocate
Mr. Inder Bhushan Pandey, Advocate

For the Respondent/s : Mr. Ravi Kumar, AC to GP-13
Mr. Ashoke Kumar, AC to GP-13

For the University : Mr. Rajendra Kumar Giri, Advocate

(In CWJC No.12067 of 2013)

For the Petitioner/s : Mr. Sujeet Kumar Sinha, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

For the University : Mr. Rajendra Kumar Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

27 19-09-2016

Heard the parties.

The grievance has been raised by the petitioners that after retirement, the University has refused to pay the salary and also reduced the pensionary benefit and so much so that from the pensionary benefit they have deducted the amount on the ground of extra payment made to the petitioners while in service.

Learned counsel for the University submits that as the petitioners were wrongly paid, the State Government Auditor found the wrong fixation, the correct fixation was done and the deduction has been made as stated in the counter affidavit but the learned counsel for the University has failed to point out that before taking any action, the University has taken steps for asking the explanation from the petitioners with respect to the reduction of the pay and pensionary benefit. In failure to point out, it will be in the interest of justice, the petitioners are directed to file a detailed representation annexing a copy of the order of this Court before the Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur, who will consider the representation of the petitioners and disposed of the same within a period of three

months from the date of filing of such representation and pass a reasoned order after giving due opportunity of hearing to the petitioners. In failure to dispose of the same within the stipulated period, it will be treated to be Contempt of Court and the petitioners will be at liberty to file an affidavit for initiation of the contempt proceeding against the Finance Officer.

With the above observations and directions, these writ applications are disposed of.

(Shivaji Pandey, J)

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