

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16587 of 2015

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1. Shashi Kumar S/o Late Ramyatan Mahato
 2. Shiv Kumar Prasad S/o Late Ramyatan Mahato and both are the resident of Moh- Badi Keshopur, Anand Marg Road, P.O. & P.S.- Jamalpur, Distt- Munger.

.... Petitioners

Versus

1. The State of Bihar through Secretary, Higher Education Human Resource Development Department, Bihar, Patna.
2. The Vice-Chancellor, Tilka Manjhi University, Bhagalpur.
3. The Registrar, Tilka Manjhi University, Bhagalpur.
4. The Principal, J.R.S. College, Jamalpur, Munger.

.... Respondents

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Appearance :

For the Petitioners : Mr. Dhananjay Kumar Upadhyay

For T.M.B. University : Mr. Amarendra Kumar

For the State : Mr. Mritunjay Kumar, AC to SC 23

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 05-05-2016

Heard learned Counsel for the petitioners, learned Counsel appearing on behalf of Tilka Manjhi Bhagalpur University, and learned Assistant Counsel to Standing Counsel No. 23 for the State of Bihar.

The petitioners are the sons of Late Ramyatan Mahato, who retired while working as Reader in J. R. S. College, Jamalpur, Munger, with effect from 31.07.2003. The father of these petitioners subsequently died on 04.06.2013. Nearly 12 years after the retirement of the father of the petitioners and two years after his death, the petitioners have filed this writ application seeking direction for immediate

release of retiral dues, such as, leave encashment amount, amount of Group Insurance, welfare fund and difference arising out of revision of pay.

From the pleadings on record and submission advanced on behalf of the petitioner and learned Counsel appearing on behalf of the respondents, it appears that the deceased employee had been maintaining two families, the petitioners claim to be the sons from the first wife of the deceased employee. There appears to be dispute between the first wife of the deceased employee and her children and the second wife and her daughter, which cannot be adjudicated upon in the present proceeding.

However, in the facts and circumstances of this case, it is observed that the petitioners shall be at liberty to approach the appropriate authority under the University for redressal of their grievance by filing representation.

This application is disposed of with the observation above.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N. A.
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