

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8119 of 2015

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Phanidhar Mishra son of Late Jatadhar Mishra resident of village and Post Office-
Sara Mohanpur, P.S. Sadar, District Darbhanga.

.... Petitioner/s

Versus

1. The Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga, through its Registrar.
2. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga.
3. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga.
4. The State of Bihar through Principal Secretary, Education Department, Bihar, Patna.
5. The Director, Higher Education, Education Department, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Kaushalesh Choudhary, Advocate

For the State : Mr. Raju Giri, GP 30 with
Mr. Nikhil Kumar Agrawal, AC to GP 30

For the K.S.D.S. University : Mr. Awadhesh Prasad Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 18-01-2016

Heard learned counsel for the parties.

Counter affidavit has been filed on behalf of the State in
which a categorical stand has been taken that the State has been
sending funds to all the Universities, including the respondent

University, from time to time for payment both of the salaries of the teachers and employees as well as towards post retiral dues. It is thus the stand of the State that the University has sufficient funds to make payment to the petitioner of the admitted dues.

Learned counsel for the respondent University submits that the total amount, as per the requisition, has not been sent to the University by the State.

Pursuant to order dated 18.12.2015, by way of an interim measure, the petitioner has been paid Rs.2,00,000/-. However, it appears that still a substantial amount is due on account of ACP, commutation of pension and consequential revisions in terms of the ACP.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the writ petition stands disposed off with a direction to the respondent University to pay all admitted post retiral dues including commutation of pension, benefit of ACP and consequential benefits to the petitioner within four weeks from the date of production of a copy of this order before the respondent no. 3.

(Ahsanuddin Amanullah, J)

Anjani/-

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