

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12033 of 2015

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Mankeshwar Dayal Maldahyar S/o Late Parameshwar Dayal Maldhyar, Resident-
201, Satwati Complex, West of Rajendra Nagar Overbridge, Kankarbagh Main
Road, P.S.- Kankarbagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources
Development Department, Govt. of Bihar, Patna.
2. Secretary Human Resource Development Department, Govt. of Bihar Patna.
3. Director Higher Education Govt. of Bihar Patna.
4. Vice-Chancellor, Magadh University, Bodh Gaya, Gaya.
5. Registrar, Magadh University, Bodh Gaya.
6. The Finance Officer, Magadh University Bodh Gaya
7. Principal, J.D. Women's College, Bailey Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhitabh Kumar, Adv.
For the State : Mr. Mithelesh Prasad Singh, AC to SC-23
For the University : Mr. Vipin Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 13-05-2016

Heard learned counsel for the petitioner and counsel for the
State.

In this case, the petitioner is claiming that he was
appointed as a Lab In-charge in the J.D. Women's College, Patna and
superannuated on 30.11.2014. On the day of superannuation, the
petitioner was holding the post of Demonstrator/Lab Personal.
According to the petitioner, the petitioner's last pay was 54,013/- and,
accordingly, the pension should be much higher than the pension that
has been fixed which is Rs. 13,270/- and thus he has been deprived of

the same.

Learned counsel for the University has submitted that he was wrongly giving the scale of pay rather he is entitled to the pay-scale of Rs. 5,200-20,200/- and Grade Pay 2400/- and, on that basis, his pension has been fixed but, the learned counsel for the petitioner submits that, at the time of superannuation, the petitioner was getting much higher scale of pay.

Let the petitioner file a detailed representation before the Vice Chancellor of the University who will examine the case of the petitioner on merit and pass a reasoned order about the entitlement of the pay-scale as well as corresponding pension and other retiral dues in accordance with law within a period of three months from the date of filing of the representation by the petitioner.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.5.2016
Transmission Date	