

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1916 of 2015

=====

Qazi Syed Shoaib, son of Late Qazi Syed Abul Hafiz, resident of Village -
Faizabad, Police Station and Post Office - Barbigha, District - Shekhpura.

.... Petitioner

Versus

1. The Tilka Manjhi Bhagalpur University, Bhaglpur through its Vice Chancellor.
2. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
3. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. The Principal, S.K.R. College, Barbigha, District - Shekhpura.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Syed Masleh-uddin Ashraf, Advocate

For the Respondent/s : Mr. Rajendra kumar Giri

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 08-12-2016

Heard learned counsel for the petitioner and learned
counsel for Tilka Manjhi Bhagalpur University.

2. The writ petition has been filed for directing the
respondents to pay the retiral benefits on revised pay-scale, i.e.
Rs.5500-9000 under the head of group insurance, gratuity, pension
and leave encashment as well as all the legal and admissible dues
payable to the petitioner forthwith.

3. It is submitted by the learned counsel for the
petitioner that the petitioner was appointed on sanctioned post of



Store-keeper on 10th October, 1980 in the department of Botany, Srikrishna Ramruchi College, Barbigaha, a constituent college of Tilka Manjhi Bhagalpur University. After completion of his service, he retired on 31st July, 2013. After superannuation, the petitioner submitted his pension papers before respondent no. 4, who vide his letter nos. 265/13, 269/13 and 270/13 and 271/13 all dated 08th October, 2013 forwarded the papers to the Registrar, Tilka Manjhi Bhagalpur University for payment of retiral benefits to the petitioner.

4. It is contended that prior to filing of the writ petition, the petitioner was paid the amount of GPF and after filing the writ petition, he has been paid the amount of gratuity but that too on the old pay-scale.

5. In reply, learned counsel for the University has submitted that after superannuation the competent authority of the University has fixed the provisional pension of the petitioner with effect from August, 2013 and arrears of pension is accordingly going to be calculated for the period August, 2013 to February, 2016. It is further contended that during the pendency of the writ petition, Rs.5,47,371/- has already been paid to the petitioner on 27th June, 2016 under the head of gratuity and all other admissible retiral benefits of the petitioner is also likely to be paid without any



undue delay.

6. I have heard learned counsel for the parties and perused the record.

7. In view of the submission made by the learned counsel for the University, the petitioner is directed to file a detailed representation before the Registrar of the University within a period of two weeks from today. In case, such a representation is filed, it should be disposed of by the Registrar within six weeks and whatever money is found due, the same should be paid. In case of non-payment of admissible dues to the petitioner within the aforesaid period, the due amount shall carry interest @ five percent per annum from the date it was due upto the time it is paid.

8. With the aforesaid observations and directions, the writ petition is disposed of.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	...
Uploading Date	09.12.2016
Transmission Date	

