

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15250 of 2016

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Sheo Lochan Singh, son of Late Bibhuti Singh, Resident of Village-
Labedaha, P.S.- Ramgarh, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,
Human Resources Department (Higher Education), Government of Bihar.
2. The Vice Chancellor, Vir Kuer Singh University, Ara.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Registrar, Veer Kuer Singh University, Ara.
5. The Finance Officer, Vir Kuer Singh University, Ara.
6. The Principal, Gram Bharati Mahavidhyalay, Ramgarh District- Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Varun Kumar, Adv.
For the State	:	Mr. Ranjan Kumar, AC to GA-12
For the University	:	Mr. Arbind Nath Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 19-08-2017

Following is the relief sought for in the present writ
application :

*“That this is application for
issuance of an appropriate writ,
order/orders or direction including*



a writ in the nature of mandamus for direction to the concerned authority to give all the retiral dues i.e. Provident fund, earned leave for 180 (Twenty eight thousand Six hundred and twenty six only), amount of Group insurance, etc. including admitted arrear of salary about Rs. 1,78,196, arrears of salary, on the basis of 6th pay revision commission, benefit of A.C.P. with suitable/statutory interest on delay payment due to latches on part of the concerned Respondent and all the consequential benefit in accordance with law to the petitioner after retirement from service and for issuance of an appropriate writ or direction as the petitioner is found entitled to.”

2. A counter affidavit has been filed on behalf of respondent Nos. 2 and 4, wherein, it has been stated that an amounts of Rs. 13,887/- and Rs. 49,266/- have been paid to the petitioner against remaining Gratuity and Leave Encashment, through letter, dated 04.03.2017. It has also been stated in the counter affidavit that the petitioner's Pension has been re-fixed and, accordingly, Pension in



revised scale has been authorized *vide* PPO No. 819 of 2007, dated 04.03.2017. As regards, revision of the Pension, on the basis of A.C.P. and M.A.C.P. is concerned, the statement is that the payment shall be made to the petitioner along with other non-teaching employees. As regards, Group Insurance amount, it has been stated that the college concerned has not submitted any paper with regard to Group Insurance of the petitioner. As regards, arrears of salary, it has been stated in the counter affidavit that a letter has been sent to the Principal, G.B. College, Ramgarh, to send bills for payment of arrears of salary of the petitioner from 1986-87 to 2004-05. In respect of Provident Fund amount, it has been stated in the counter affidavit that the same has been paid to the petitioner.

3. On perusal of the counter affidavit, it can be easily noticed that the grievance of the petitioner has been substantially redressed. However, so far as revision of Pension, on the basis of A.C.P. and M.A.C.P. is concerned, the Court directs the Vice-Chancellor and the Registrar of Veer Kunwar Singh University, Ara, to take a final decision within a period of two months from today and, thereafter, release consequential benefits in favour of the petitioner within two months thereafter.



4. As regards arrears of salary, the Court directs the Vice-Chancellor of the University to clear the dues within a period of two months from the date of receipt/production of a copy of this present order. It is observed in this regard that it has been stated in paragraph 8 of the counter affidavit that the Principal of the concerned college had been directed to send bills for payment of arrears, through letter, dated 10.03.2017. If any delay is to be caused because of action or inaction on the part of the Principal of the college concerned, in payment of arrears of salary, the Principal of the college shall be liable for disciplinary action.

5. It is made clear that the petitioner shall have liberty to raise any dispute over quantum of amount paid to him by making representation before the Vice-Chancellor of the University, if, according to him, the amount released in his favour, under the orders of the Court, have been wrongly calculated, to his disadvantage.

6. This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.08.2017
Transmission Date	N/A

