

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14416 of 2014

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Bharat Prasad S/o Late Sri Binda Lal, Resident of Sankat Mochan Nagar, P.S. Nawada, Near New Police Line, Ara, District- Bhojpur at present resident of At and P.O.- Bihia, District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Higher Education, Govt. of Bihar, having his office Vikas Bhavan, Bailey Road, Patna.
2. The Principal Secretary, Human Resources Development Department, Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhavan, Bailey Road, Patna.
3. The Secretary, Human Resources Development Department, Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhavan, Bailey Road, Patna.
4. The Director, Human Resources Development Department, Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhavan, Bailey Road, Patna.
5. The Veer Kunwar Singh University through its Registrar, Ara.
6. The Vice Chancellor, Veer Kunwar Singh University, Ara.
7. The Registrar, Veer Kunwar Singh University, Ara.
8. The Financial Advisor, Veer Kunwar Singh University, Ara.
9. The Finance Officer, Veer Kunwar Singh University, Ara.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Sr. Advocate
Mr. Ugranath Mallik, Advocate
Mr. Virendra Prasad, Advocate

For the Respondent-State: Mr. Anil Kumar, AC to SC-8

For the University : Mr. P.K. Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 09-08-2017



The present writ petition has been filed by the petitioner, who retired as Finance Officer of Veer Kunwar Singh University for direction to the respondents to make payment of arrears of salary i.e. difference of salary as well as arrears of pension i.e. difference of gratuity and difference of leave encashment due to revision of 6th pay scale with effect from 01.01.2006.

2. In the supplementary counter affidavit filed on behalf of the respondent nos.5 and 9, it has categorically been stated that difference of pension, gratuity and earned leave for revised pay scale from 01.01.2006 has already been paid to the petitioner. It has further been stated that the grievances of the petitioner have already been redressed.

3. Relying on the assertions made in the counter affidavit, learned counsel for the University has submitted that the aforesaid payments have been made to the petitioner vide order dated 01.11.2015.

4. In reply to the contentions advanced on behalf of the University, learned counsel for the petitioner submitted that subsequent to the aforesaid payments, the respondents have illegally reduced the pension of the petitioner from Rs.25,955/- to Rs.16020/- ignoring the fact that the pension of the petitioner at Rs.25,955/- was fixed by the pay fixation cell of Government of Bihar vide letter No.



Pen/955/Estab/16 dated 02.07.2016. He has submitted that another writ petition being C.W.J.C. No.16378 of 2016 has been filed by the petitioner in this regard challenging the aforesaid order dated 02.07.2016. However, the petitioner does not dispute the fact that difference of pension, gratuity and earned leave for revised pay scale has already been paid to him.

5. Having regard to the fact that so far as the grievances raised in the present writ petition have already been redressed and the subsequent reduction of pension is concerned, the petitioner has already filed another writ petition, the writ petition is disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.08.2017
Transmission Date	NA

