

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2730 of 2016

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1. Prof. Chandra Shekhar Prasad Singh Son of Late Bashist Prasad Singh
resident of Mohalla – Mithanpura, behind P&T Colony, P.S. Mithanpura,
District - Muzaffarpur

.... Petitioner/s

Versus

1. The BRA Bihar University, through its Registrar, having office at
Muzaffarpur
2. The Vice Chancellor, BRA Bihar University, Muzaffarpur
3. The Finance Officer, BRA Bihar University, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sri Niwas Jha, Advocate

For the Respondent/s : Mr. Rakesh Kumar Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

3 10-08-2017

Heard learned counsels for the parties.

The present writ application has been filed for a
direction to the respondent authorities to make payment of arrears
of pension in the revised UGC scale and other legitimate dues to
the petitioner.

The petitioner was appointed as Lecturer in the
Department of Psychology in R.D.S. College, Muzaffarpur on
1.3.1965 and was promoted as Reader in the same college in 1983.
He was subsequently promoted as University Professor of
Psychology in 1990 and after rendering unblemished services, the
petitioner superannuated on 31.1.1999. Earlier, the petitioner came
to this Court vide C.W.J.C. No. 7848 of 2009, for payment of



retiral dues but despite order of the Writ Court, when the same was not paid, the petitioner filed MJC No. 4284 of 2009 which was disposed of vide order dated 23.9.2011, since the admissible dues were paid to the petitioner. The order reads as follows:

“Heard learned counsels for the petitioner and the State.

A show cause has been filed on behalf of the University stating therein that the order of the Court has been complied with and necessary admissible payments have been made as per the cheques annexed to the show cause under the communicated to the petitioner vide letter no. 27th November, 2010.

Since the order of the Court has been complied with the contempt application need not proceed further and the same accordingly stands disposed of.”

It is further submitted by learned counsel for the petitioner that out of certain payments like pension arrear, arrear of earned leave and pre-retiral dues, only Rs.2,96,015/- was paid and 50% of D.A. merger amount from 1.1.2005 was not calculated by the authorities. Representation to that effect was submitted by the petitioner before the Vice Chancellor of the University on 1.12.2011, as contained in Annexure 1. Since the aforesaid



payments have not been made, hence, the present writ application.

Though the matter was adjourned on 20.5.2016 on the prayer of the learned counsel for the University but the counter affidavit has not been filed and today prayer is being made by learned counsel for the University to dispose of the writ application, assuring that the University will dispose of the representation of the petitioner within a period of four weeks from the date of receipt/production of a copy of this order and will make payment of the admitted dues, if any, within a period of eight weeks thereafter. For rest of the payments the University will pass appropriate reasoned order. Learned counsel for the petitioner agrees for the disposal of the writ application in the abovementioned terms.

Odered accordingly.

This disposes of the writ application.

(Dinesh Kumar Singh, J)

Anil/-

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