

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2708 of 2015

In

Civil Writ Jurisdiction Case No. 15346 of 2012

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Prof. Shailendra Kumar Singh Son of Late Akshay Kumar Singh, resident of Siddhi Sadan behind Railway Hospital, Brahmpura, District - Muzaffarpur, retired as University Professor R.D.s. College, Muzaffarpur.

.... Petitioner.

Versus

1. The State of Bihar
2. Sri R.K. Mahajan, the Principal Secretary, higher Education, Govt. of Bihar, New Secretariat, Patna.
3. Dr. Pt. Prabhakar Plandey, Presently posted as Vice - Chancellor, B.R.A. Bihar University, Muzaffarpur.
4. Dr. Ratnesh Mishra, presently posted as Registrar B.R.A. Bihar University, Muzaffarpur.
5. Sri Raj Narayan Singh, presently posted as Finance Officer, B.R.A. Bihar University, Muzaffarpur. Opposite Parties.

WITH

Miscellaneous Jurisdiction Case No.484 of 2016

IN

Civil Writ Jurisdiction Case No. 15346 of 2012

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1. Prof. Ramchandra Sharma, Son of Late Deo Narayan Sharma, resident of Damu Chak, P.S.- Kazimohammadpur, District- Muzaffarpur retired as Univ. Professor in the Subject of Chemistry from Mahesh Prasad Science College, Muzaffarpur
 2. Prof. Ram Jinis Sharma, Son of Late Gorakh Sharma, resident of Sharma Sadan, Banduk Gali, Town Thana, Motijheel, District- Muzaffarpur retired as Reader in the Subject of Physics from Mahesh Prasad Science College, Muzaffarpur
 3. Prof. Ram Naresh Choudhary 'Navin', Son of Late Kamaldhari Choudhary, resident of Mohalla- Shree Rampuri Bhagwanpur, P.S.- Sadar, District- Muzaffarpur retired as Univ. Professor in the Subject of Psychology from L.S. College, Muzaffarpur
 4. Shyam Kishore Prasad Singh, husband of Late Prof. Sneha Sinha, resident of C/o Prof. Krishna Kant Sinha, behind Petrolpump of Pandey Jee N.H.- 28 Shyam Nagar, Gali No. 2, P.S.- Sadar, District- Muzaffarpur Petitioners.

Versus

1. The State of Bihar
2. Sri R.K. Mahanjan, the Principal Secretary, Higher Education, Govt. of Bihar, New Secretariat, Patna
3. Dr. Pt. Prabhakar Plandey, Presently posted as Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur
4. Dr. Ratnesh Mishra, Presently posted as Registrar B.R.A. Bihar University, Muzaffarpur.
5. Sri Raj Narayan Singh, Presently posted as Finance Officer, B.R.A., Bihar University, Muzaffarpur. Opposite Parties.



WITH
Miscellaneous Jurisdiction Case No.485 of 2016
IN
Civil Writ Jurisdiction Case No. 15346 of 2012

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1. Sumitra Sinha, wife of Late Prof. Ram Shobha Sinha, resident of Lenin Chawk, Purushottampur, Zibani, Manjhaulia Road, Muzaffarpur
 2. Kanti Devi, Wife of Late Nand Lal Sah, resident of Mohalla- Nandpuri, P.O.- Bhagwanpur, P.S.- Sadar, District- Muzaffarpur
 3. Krishna Chandra Prasad Singh, son of Late Ram Ballabha Prasad Singh, resident of Vinodini Bihar, Manjhaulia Road, Rasulpur Zibni P.O.- Kazimohamadpur, P.S.- Kazimohamadpur, District- Muzaffarpur
 4. Indu Bala Sinha, wife of Late Prof. Nawal Kishore Sinha, resident of C/O Krisna Kant Sinha, behind Petrolpump of Pandey Jee N.H. 28 (Shyam Nagar, Gali No. 2, P.S.- Sadar, District- Muzaffarpur
 5. Lalita Thakur, wife of Late A.N. Thakur, resident of Mohalla- Housing Colony MIG- 20, Damodarpur, P.S.- Kanti, District- Muzaffarpur
 6. Shahjahan Khatoon wife of Late Md. Chand, resident of village- Haswadee, P.S.- Haswa, P.O.- Haswa, District- Nawada, Presently residing at Mohalla- Manjhaulia, P.O.- Khabra, P.S.- Sadar, District- Muzaffarpur. Petitioners.

Versus

1. The State of Bihar
2. Sri R.K. Mahanjan, the Principal Secretary, Higher Education, Govt. of Bihar, New Secretariat, Patna
3. Dr. Pt. Prabhakar Plandey, Presently posted as Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur
4. Dr. Ratnesh Mishra, Presently posted as Registrar B.R.A. Bihar University, Muzaffarpur.
5. Sri Raj Narayan Singh, Presently posted as Finance Officer, B.R.A., Bihar University, Muzaffarpur. Opposite Parties.

WITH
Miscellaneous Jurisdiction Case No.2818 of 2015
IN
Civil Writ Jurisdiction Case No. 15346 of 2012

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1. Dr. Bharti Sinha wife of Late Kapileshwar Prasad Sinha resident of Gannipur, Saidpura, P.S. Kazimahmadpur, retired as Reader in the subject of Hindi, R.D.S. College, Muzaffarpur under B.R.A. Bihar University, Muzaffarpur.
 2. Shanti Devi wife of Late Ram Bahadur Thakur resident of C/o R.B. Thakur, Mishra Tola Gannipur, near Mai Sthan, P.S. - Kazimahmadpur, District - Muzaffarpur.
 3. Jitendra Prasad Sinha son of Late Rajdeo Singh resident of Village - Bhikhanpura, P.O. - G.P.O. Muzaffarpur, P.S. - Kazimahmadpur, District - Muzaffarpur, retired as Reader in the subject of Botany, L.S. College, Muzaffarpur under B.R.A. Bihar University, Muzaffarpur. Petitioners.

Versus

1. The State of Bihar.
2. Sri R.K. Mahajan, the Principal Secretary, Higher Education, Govt. of



Bihar, New Secretariat, Patna.

3. Dr. Pt. Prabhakar Plandey, Presently posted as vice Chancellor, B.R.A Bihar University, Muzaffarpur
4. Dr. Ratnesh Mishra, presently posted as Registrar BRA Bihar University, Muzaffarpur
5. Sri Raj Narayan Singh, presently posted as Finance Officer, B.R.A Bihar University, Muzaffarpur. Opposite Parties.

WITH

Miscellaneous Jurisdiction Case No.2825 of 2015

IN

Civil Writ Jurisdiction Case No. 15346 of 2012

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1. Prof. Ram Vilas Chuodhary Son of Deep Narain Choudhary R/o Mohalla Saketpuri, East of R.N. College, Hajipur, Vaishali, retired as Univ. Professor in the subject of Chemistry R.N. College, Hajipur Vaishali under BRA Bihar University, Muzaffarpur
 2. Nawal Kishore Sharma Son of Late Ram Sharan Sharma R/o Professor Colony, Hajipur, retired as Reader in the subject of Physics BMD College, Deyalpur, Vaishali under BRA Bihar University, Muzaffarpur
 3. Dr. Satendra Pandey Son of Late Bishishwar Pandey R/o Professor Colony, Hajipur, retired as Reader in the subject of Chemistry from BMD College, Deyalpur, Vaishali under BRA Bihar University, Muzaffarpur
 4. Anirudh Prasad Das Son of Late Satya Narain Das R/o Mohalla Virkunwar Singh Colony, South Hajipur, retired as Reader in the subject of Botany, BMD College, Deyalpur, Vaishali under BRA Bihar University, Muzaffarpur
 5. Randhir Ojha Son of Late Sri Chandrika Ojha R/o Village + P.O. Chaumukh, P.S. Bochahan, District Muzaffarpur, retired as Reader in the subject of Physics L.N. College Bhagwanpur Vaishali under BRA Bihar University Muzaffarpur. Petitioners.

Versus

1. The State of Bihar
 2. Sri R.K. Mahanjan, The Principal Secretary, Higher Education, Govt of Bihar, New Secretariat, Patna
 3. Dr. Pt. Prabhakar Plandey, Presently posted as vice Chancellor, BRA Bihar University, Muzaffarpur
 4. Dr. Ratnesh Mishra, presently posted as Registrar BRA Bihar University, Muzaffarpur
 5. Sri Raj Narayan Singh, presently posted as Finance Officer, BRA Bihar University, Muzaffarpur. Opposite Parties.
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Appearance :

(In MJC No.2708 of 2015)

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Respondent/s : Mr. Nirbhay Kumar Singh Gp 26

(In MJC No.484 of 2016)

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Respondent/s : Mr. N.K. Singh- Gp26

(In MJC No.485 of 2016)

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Respondent/s : Mr. N.K. Singh- Gp26



(In MJC No.2818 of 2015)

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Respondent/s : Mr. Nirbhay K.Singh

(In MJC No.2825 of 2015)

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Respondent/s : Mr. Nirbhay K.Singh

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

04 16-02-2017 By order passed in the writ proceedings, which attained finality, the University was under a liability as per their own notification to pay the balance of arrears of pension by 31st of March, 2015. Under other provisions, they were liable to pay the financial effect of merger of D.A. with effect from 01.01.2005 to 31.03.2007, when the revisions were made effective. This not having been done, in subsequent analogous contempt proceedings, it was directed that those sums would be paid along with interest for delayed payment and delayed compliance of the Court's order at the rate of 6% per annum.

In these five cases counsel for the petitioners agree to the submission of the counsel for the University that so far as arrears of pension are concerned, they have now been paid. So far as merger of D.A. and delayed payment interest is concerned, the same has not been paid.

Learned counsel for the University undertakes on behalf of the University that D.A. merger and the interest would be paid to the petitioners of these five cases within a period of two months



from today, failing which the Vice-chancellor and Registrar of the B.R.A. Bihar University, Muzaffarpur would be liable to be proceeded in contempt straightway. No further extension of any excuse will be granted. While making the payments, the University would have to disclose the calculations so that an ordinary person can understand the same and understand what he is getting.

With these observations, these five cases stand disposed of.

(Navaniti Prasad Singh, J.)

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