

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22111 of 2014

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1. Rekha Choubey W/o late Rangnath Choubey
 2. Hridya Narain Choubey
 3. Uday Narain Choubey
 4. Bimlesh Kumar Choubey
 5. Meena Kumari

Petitioner nos. 2 to 5 are Sons and daughter of late Rangnath Choubey. All are Residents of Village +P.O.- Banarpur, P.S. +District- Buxar, Presently Resident of N3/15 R-3 R-CH Anjanipuram Colony Sundarpur, Karmajeetpur, Varanasi, U.P.

.... Petitioners

Versus

1. The State of Bihar through the Secretary, Department of Higher Education, Patna.
2. The Vice Chancellor, B R A Bihar University, Muzaffarpur.
3. The Vice Chancellor, J P University, Saran at Chapra.
4. The Registrar, B R A Bihar University, Muzaffarpur.
5. The Registrar, J P University, Saran at Chapra.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Amar Prakash, Advocate
For Respondent no. 2 & 4 : Mr. Nikhil Kumar Agrawal, Advocate
For the State : Mr. Rawti Kant, AC to SC 11

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 02-11-2017

The original writ petitioner Rangnath Choubey retired as a Reader on 28.02.2005. He died on 07.09.2015 and vide order dated 16.10.2017, his wife, three sons and a daughter have been



allowed to be substituted as petitioners in the present case.

2. In the writ petition, the prayer of the original writ petitioner was to direct the respondent authorities to pay the admitted arrears of salary payable since April 1980 to October, 1992, admitted arrears of revised pay differences payable since 01.01.1996 to 28.02.2005 and admitted arrears of pensionary benefits payable since March, 2005.

3. Having gone through the writ petition and the submissions made by the learned counsel for the petitioners, the Court is of the opinion that instead of passing any specific order, the purpose would be served by granting liberty to the petitioners to file a representation before respondent no. 3, the Vice Chancellor, J. P. University, Saran at Chapra raising all their claims. If such a representation is filed, the respondent no. 3 shall be required to examine the claims and pass a reasoned order within a period of four months from the date of filing of representation. In case, the claims of the petitioners are found to be admissible, payment shall be made to the petitioners in accordance with law within a period of one month from the date of passing of the order. In case, claim(s) of the petitioners is/are rejected, the order must be communicated to the widow of the deceased employee Smt. Rekha Choubey on her postal address.



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

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.11.2017
Transmission Date	NA

