

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3208 of 2015

In

Civil Writ Jurisdiction Case No. 15346 of 2012

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1. Dr. Surendra Kumar, son of Late Motichand Prasad, resident of Nalanda Colony, Ramchandrapur, Biharsharif, District- Nalanda, a retired professor in the subject of Zoology, S.P.M. College, Udantpuri, Biharsharif Nalanda, under Magadh University, Bodh Gaya.
 2. Ramashish Prasad, son of Late Sita Mahto, resident of Nalanda Colony, Ramchandrapur, Biharsharif, District- Nalanda, a retired reader in the subject of History S.P.M. College, Udantpuri, Biharsharif Nalanda, under Magadh University, Bodh Gaya.
 3. Shiv Sharan Prasad, son of Late Nokhlal Prasad Singh, resident of Village- Kathuli, P.S.- Noorsarai, District- Nalanda, retired reader in the subject of Chemistry S.P.M. College, Udantpuri, Biharsharif, Magadh University, Bodh Gaya.

.... Petitioners.

Versus

1. The State of Bihar
2. Sri R.K. Mahajan, the Principal Secretary, Higher Education, Govt. of Bihar, New Secretariat, Patna.
3. Md. Isteaque, Presently posted as Vice-Chancellor, Magadh University, Gaya. Presently posted as Registrar, Magadh University, Gaya.
4. Shri Shushil Kumar Singh, Presently posted as Finance Officer, Magadh University, Gaya.
5. Sri D.K. Sinha, Presently posted as Finance Officer, Magadh University, Bodh Gaya.

.... Opposite Parties.

WITH

Miscellaneous Jurisdiction Case No.239 of 2016

IN

Civil Writ Jurisdiction Case No. 15346 of 2012

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1. Prof. Bharosa Prasad Singh Son of late Jagat Narayan Singh Resident of Kilil Pokhar, Mohan Nagar, P.s Rampur Gaya, District Gaya, Retired as Univ, Prof. Department of History , Magadh University Bodh Gaya.
 2. Prof. krishna Murari son of late Ram Dahin Singh Resident of 21-A, P.Colony, Gaya, P.s Rampur, District Gaya retired as Univ, Prof, In the subject of A.I. & A.S magadh University, Bodh Gaya.
 3. Prof Surendra Prasad Singh son of late Swarup Narain Singh Resident of Ashok Nagar, P.s Rampur Gaya, District Gaya, Retired as University Professor in the subject of history from post Graduate Department Magadh University, Bodh Gaya.
 4. Prof Nawal Kishore Singh Son of late Basudeo Singh resident of Parma Niwas 327, A.P. Colony, Gaya, P.s Rampur Gaya, District Gaya, retired as University Prof; in the subject of Economic from Post Graduate Department Magadh University, Bodh Gaya.
 5. Prof . Jagat Narayan Singh Son of late Babu Ram Singh resident of Quarter no. 402, Deep Leela Residential Complex, Vidhyavasini Street , Kadamkuan, Patna-800003, retired as University ProfPost Graduate Department Geography Magadh University, Bodh Gaya.
 6. Prof . Satendra Narayan Singh Son of late Dip Narayan Singh Resident of Hanuman Chowk, ward no. 35, Ganj Jala Saharsa, retired as Prof. in the subject of Psychology from S.N. Sinha, College Tekari Gaya.



7. Rameshwar Singh son of late Ramayan Singh Resident of 19, A.P. colony Gaya, P.s Rampur, district Gaya, retired as Reader from A.M. College, Gaya.
8. Prof. Girish Chandra Singh Son of late Raja Ram Singh Resident of Mohalla- Ashok Nagar, P.s Rampur Gaya, District Gaya. Retired as Univ .prof in the subject of Chemistry , Gaya College, Gaya.
9. Umeshwar Prasad Singh Son of Late Jamuna Prasad Singh resident of Mohalla- Chanakyapuri Colony, M/32 (Uma Bhawan), Road No. 1, P.s Rampur Gaya, district Gaya, retired as Reader in the subject Chemistry , JJ College, Gaya.
10. Ruby Prasad Wife of Bijy Shankar Prasad resident of 1/18 Vivekanand Marg, North S.K. Puri, opposite A.N. College, Patna- 8000013, retired as Reader Arvind Mahila College, Patna.
11. Sidhanath Prasad Son of late resident of Mohalla- Dhibrapar Gayatri Nagar, Jehanabad, District Jehanabad.
12. Sudam Devi wife of Prof .Sita Rai Resident of Mohalla- Ramnagar, P. S. Jehanabad, District Jehanabad. Petitioners.

Versus

1. The State of Bihar
2. Sri R.K. Mahajan , the Pricnipal Secretary, Higher Education ,Govt. of Bihar, New Secretariat, Patna.
3. Md. Isteaque, Presently Posted as Vice -Chancellor, Magadh Univeristy, Bodh Gaya.
4. Sri Shushil kumar Singh, Presently posted as Registrar, Magadh University, Bodh Gaya.
5. D.K. Sinha, Posted as Finace Officer, Magadh University, Bodh Gaya. Opposite Parties.

WITH

Miscellaneous Jurisdiction Case No.668 of 2016

IN

Civil Writ Jurisdiction Case No. 15346 of 2012

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1. Dr. Rajiva Ranjan Prasad Singh, son of Late Lakshmi Naryan Singh, resident of 116, A.P Colony Gaya Pin- 823001, P.S.- Rampur Gaya, District- Gaya, Retired as Prof. Department of Zoology, A.M. College, Gaya.
 2. Prof. Kumar Keshav Mohan Singh, son of Late Rajendra Narayan Singh, resident of 37, A.P. Colony Gaya, Pin- 823001, P.S.- Rampur Gaya, District- Gaya, Retired as Prof. Department of Botany, A.M. College, Gaya.
 3. Prof. Satendra Kumar Singh, son of Late Mahendra Kumar Singh, resident of 84, A.P. Colony Gaya Pin- 823001, P.S.- Rampur Gaya, District- Gaya, Retired as Prof. Department of Chemistry, A.M. College, Gaya.
 4. Prof. Ram Sakal Singh, son of Late Mahadeo Singh, resident of Mohalla- Bhaisasur, P.S. Biharsharif, District- Nalanda, retired as Professor in the subject of Political Science, Nalanda College, Biharsharif, Nalanda.
 5. Sadanand Prasad. son of Late Ishwar Ram, Resident of 21, Ramna Road Gaya, P.S.- Civil Lines, District- Gaya, retired as Reader in the Subject of Physics Gaya, College, Gaya.
 6. Radha Mohan Tiwary, son of Jagmani Tiwary, resident of Ramdei Chinta Bag, Ashok Nagar, P.S.- Rampur, District- Gaya, retired as in



the subject of Sanskrit from Post Graduate Department Magadh University Bodh Gaya.

7. Rameshwar Upadhyaya, son of Late Sri Niwas Upadhyaya, resident of Upadhyaya Niwas, Near Green Field Bisar, New Area Gaya, P.S.- Civil Lines, District- Gaya, retired as Reader in the Subject of Geography Post Graduates Department Magadh University Bodh Gaya.
8. Surendra Prasad Verma, son of Late Rajendra Prasad Verma, resident of New area Vishal Tank Road Gaya, P.S. Gaya, District- Gaya, retired as Reader in the subject of Physics Gaya College, Gaya.
9. Prof. Shyam Kishore Prasad Singh, Son of Brajlal Singh, resident of Professor Colony Don Basco School, Digha, Patna, retired as University Prof. In the Subject of Political Science From Ram Ratan Singh College, Mokama. Petitioners.

Versus

1. The State of Bihar.
2. Sri R.K. Mahajan, the Principal Secetary, Higher Eduction, Govt. of Bihar, New Secretariat, Patna.
3. Md. Isteaque, Presently posted as Vice- Chancellor, Magadh University, Bodh Gaya.
4. Sri Shushil Kumar Singh, Presently posted as Registrar, Magadh University, Bodh Gaya.
5. D.K. Sinha presently posted as Finance Officer, Magadh University, Bodh Gaya. Opposite Parties.

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Appearance :

(In MJC No.3208 of 2015)

For the Petitioner/s : Mr. Shashi Bhushan Singh

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

(In MJC No.239 of 2016)

For the Petitioner/s : Mr. Shashi Bhushan Singh

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

(In MJC No.668 of 2016)

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

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

Learned counsel for the University undertakes on behalf of the University that delayed payment interest would be paid to the petitioners of these three cases within a period of two months from today, failing which the Vice-chancellor and Registrar of the Magadh University 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 three cases stand disposed of.

(Navaniti Prasad Singh, J.)

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