

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10359 of 2017

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Dr. Moti Lal Yadav, S/o Late Jibach Yadav, Resident of Bahadurpur, Ward No. 29, Madhuri Chowk, P.S. + District- Samastipur, at superannuated employee as Reader from B.R.B. College, Samastipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Vice-Chancellor, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Principal, B.R.B. College, Samastipur, District- Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Archana Pallar

For the Respondent/s : Nadim Seraj

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner, State and the University.

From the tenor of the counter affidavit filed on behalf of the respondent nos. 3 and 4, it appears that matter is active consideration at the level of the University.

Considering the fact that the University has admitted that the matter with regard to payment of difference of salary for the period 01.01.1996 to 31.12.2005 and 01.01.2006 to 31.07.2008 including admissible D.A. are pending at the level of the



University, the writ petition is disposed of with direction to the respondent authority of the University i.e. Registrar, respondent no.4 to ensure final decision on the claim of the petitioner for payment of arrears of difference of salary for the period indicated hereinabove within a maximum period of sixty days from the date of receipt/production of a copy of this order.

It is made clear that if the petitioner is entitled to such benefit it must reach the petitioner within the aforesaid period failing which the University shall pay interest @ 9 per cent per annum from the date of its accrual to the date of actual payment and realize the interest component payable to the petitioner from the officer responsible for delay in disposal of the claim of the petitioner.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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