

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5008 of 2017

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Prof. Ram Nandan Prasad Sinha son of Late Lachchu Singh, resident of village + P.O. Rampur Vishwa Nath (Repura), District - Muzaffarpur retired as University Professor from Jibach College, Motipur, Muzaffarpur under B.R.A. Bihar University, Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
4. The Registrar, B.R.A. Bihar University, Muzaffarpur.
5. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s : Mr. Madhaw Prasad Yadav, G.P.-23
 : Ms. Meera Singh, A.C. to G.P.-23
For the University : Mr. Rakesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 04-04-2017

The sole defect, as pointed out by the stamp reporter, is ignored.

2. In the present writ application the prayer of the petitioner is to direct the respondent authorities to re-fix the pension of the petitioner which has been incorrectly fixed as Rs.23,700/-.

3. The contention of the petitioner is that in view of the Government notification and the judgment of the Hon'ble Supreme Court, revision of pension should be made at fifty per cent of minimum of pay in the pay band and the grade pay thereon



corresponding to the pre-revised pay scale. His contention is his basic pension ought to have Rs.25,445/-, which his incorrectly been fixed as Rs.23,700/-.

4. Regard being had to the nature of the prayer made in the present writ application, I direct the petitioner to file a detailed representation along with a certified copy of the order before the Registrar, B.R.A. Bihar University, Muzaffarpur afresh within three weeks from today. In case such a representation is filed, the Registrar, B.R.A. Bihar University, Muzaffarpur shall be obliged to consider and dispose of the same by a reasoned and speaking order within eight weeks. In case it is found that the pension of the petitioner is incorrectly fixed he shall take the remedial actions without delay in order to ensure correct fixation of pension and payment of arrear, if any.

5. With the aforesaid observations and directions, the writ application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	07.04.2017
Transmission Date	

