

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2015 of 2016

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Ajeet Kumar Singh, Son of Late Ram Ashani Singh Resident of village - Madhopur Kote (Chhitauni), P.S. - Rohaniya, District - Varanasi (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Patna University through the Vice-Chancellor, Patna.
4. The Vice-Chancellor, Patna University, Patna.
5. The Registrar, Patna University, Patna.
6. Allahabad Bank through the Zonal Manager, Zonal Office, Patna.
7. The Branch Manager, Allahabad Bank, Patna University Branch, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Ranjeet Kumar Pandey and Mr. Radheshyam Kumar, Advocates
For the Respondents No. 3 to 5	:	Mr. Vivekanand Prasad Singh, Advocate
For the Respondents No. 6 & 7	:	Mr. Nishi Nath Ojha, Advocate
For the State	:	Ms. Babita Kumari, A.C. to S.C. 1

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

6 24-11-2017 Heard Mr. Yogesh Chandra Verma, learned senior counsel assisted by Mr. Radheshyam Kumar, for the petitioner; Ms. Babita Kumari, for the State; Mr. Vivekanand Prasad Singh for the Patna University and Mr. Nishi Nath Ojha, for the Allahabad Bank.

2. The petitioner has moved the Court for the following reliefs:



“I. For issuance of an appropriate writ/writs, order/orders, or direction/directions in the nature of mandamus directing the respondent authorities particularly respondent No. 3 to 5 to pay the due amount of pension of Late Dr. Shitla Prasad Singh, retired Reader in Zoology Department, Patna University who died on 14.02.2013.

II. For issuance of an appropriate writ/writs, order/orders or direction/directions in the nature of mandamus directing the respondent authorities of Patna University to calculate the due pension of Late Dr. Shitala Prasad Singh in the revised scale as per PPO No. 178 dated 26.08.2006 and pay the entire amount of due pension and further to produce the calculation chart before the Hon'ble Court.

III. For issuance of appropriate writ /writs, order/orders, direction/directions in the nature of mandamus directing the respondent University to pay up-to-date statutory interest on the due amount of pension.

IV. For any other relief/reliefs for which the petitioner may be found entitled in the eye of law.”

3. However, in view of the fact that the petitioner is not directly in the class of heirs or relative to the deceased employee whose retiral benefit is claimed, learned counsel for the petitioner, after some arguments, prayed that he may be permitted to withdraw the writ petition in order to produce evidence/documents, which in law are admissible, for the



authorities to make payment in his favour.

4. Learned counsel for the respondents also agree that if legally admissible materials are brought before them for the purposes of proving that the remaining admissible retiral dues payable to the deceased employee are required to be paid to the petitioner, they shall have no objection in releasing the same in his favour.

5. Accordingly, the writ petition stands disposed off in the aforesaid terms.

(Ahsanuddin Amanullah, J)

Anand Kr./-

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