

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6488 of 2015

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Dr. Udit Kumar verma, aged about 66 yrs, S/O Late Narendra Natha Das, R/O
Kharaiya Basti, Ward no. 10, P.O. + P.S-Araria, District-Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Vice Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar,
Madhepura, Bihar.
5. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar,
Madhepura.
6. The Principal, Araria College, Araria.
7. Lalit Narayan Mithila University, Darbhanga through its Registrar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate
For the Respondent/s : Mr. VIVEK PRASAD, GP-18

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 09-02-2017

The present writ application has been filed for a
direction to the respondents for following reliefs:-

*“(i) For a direction to the respondents to
sanction the regular pension to the petitioner
w.e.f. 01.10.2014 and also to pay the arrears of
regular pension from 01.10.2014 to till date with
admissible interest to the petitioner and also a*



direction for payment of regular pension on month to month basis.

(ii) For a direction to the respondents to make payment of the amount of gratuity with admissible interest to the petitioner.

(iii) For a direction upon the respondents to make payment with interest against the head of leave encashment.

(iv) For a direction to the respondents to pay the amount of LIC and GPF with admissible interest.

(v) For a direction to the respondents to make payment of arrears of difference of salary from January, 1996 to December, 2005 which became due to the petitioner due to the implementation of the revised UGC pay scale.”

2. The petitioner retired from service on attaining the age of superannuation on 30.09.2014 as Reader from a constituent college of B. N. Mandal University, Madhepura.

3. It is submitted by the learned counsel for the petitioner that the grievances of the petitioner so far as pension, gratuity, leave encashment, LIC and GPF are concerned, have already been redressed. Now, his grievance is only restricted to the claim of payment of arrears of difference of salary from January, 1996 to December, 2005 and GIC.



4. A counter-affidavit has been filed on behalf of respondent nos. 4 and 5 wherein it has been stated that the arrears of difference of salary with effect from 01.01.1996 to 31.03.2000 amounting to Rs.2,20,457/- has already been authorized to the Principal concerned to make payment to the petitioner. So far as difference of arrears of salary with effect from 01.04.2000 to 31.12.2005 is concerned, the contention of the University is that the same shall be paid to the petitioner after receipt of fund/grant from the State Government.

5. Learned counsel for the University submitted that the payment of GIC will be made to the petitioner only after the details of deduction from the Principal, Araria College, Araria are received for which the Principal has already been requested by the Finance Officer of the University and a reminder has also been issued to him in this regard.

6. In reply, learned counsel for the petitioner submitted that pursuant to the letters received from the Finance Officer of the University, the Principal, Araria College, Araria has already sent the details of deduction to the University.

7. Be that as it may, regard being had to the submissions of the parties, the writ application is disposed of with a direction to the respondents to pay the arrears of difference of pay



with effect from 01.04.2000 to 31.12.2005 and the amount of GIC to the petitioner within four months from the date of receipt/production of a copy of this order. In case the payments are not made within the time stipulated hereinabove, the petitioner would be entitled to receive interest at the rate of eight per cent per annum over the due amounts from the date of this order till the date of their actual payment.

(Ashwani Kumar Singh, J.)

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AFR/NAFR	NAFR
CAV DATE	...
Uploading Date	10.02.2017
Transmission Date	

