

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15640 of 2015

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Qurban Haider, Son of Zulfkar @ Badal Babu, Resident of Village- Naya Quila, Police Station- Siwan Town, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. Jai Prakash University, Chapra, through its Registrar.
4. The Vice -Chancellor, Jai Prakash University, Chapra,
5. The Registrar, Jai Prakash University, Chapra,

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shubh Narain Singh

For respondent No.2 (State) : Anukriti Jaipuriyar AC to SC-21

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

8 01-11-2017 This interlocutory application has been filed under order 22 Rule 3 for substitution of heirs of late Qurban Haider, writ petitioner.

In paragraph-2 of the interlocutory application, the details of the legal heirs have been mentioned.

Let the legal heirs as mentioned in paragraph-2 of the I.A. be substituted in place of the writ petitioner, Qurban Haider.

The I.A. No. 7745 of 2017 is allowed.

Counsel for the petitioner submits that in the instant case the only controversy is adjustment of certain amount for which a committee was constituted by the University. He further submits that after adjusting the amount, balance gratuity should be refunded to the petitioner.



In view of the limited grievance of the petitioner, the application is disposed of with a direction to the respondent no.5, the Registrar, Jai Prakash University, Chapra to see that the balance gratuity amount is paid to the substituted petitioners within a period of six weeks from the date of production of the copy of this order after adjusting the amount for which the original writ petitioner was liable.

It is made clear that if the balance amount after adjustment is not paid to the petitioners within the aforesaid period, there shall be liability of the Registrar, Jai Prakash University, Chapra to fix accountability on delay in the matter of payment of balance gratuity amount which was kept in abeyance on account of non-adjustment of certain advance given to the original petitioner. The University would be under obligation to pay interest at the rate of 9 per cent from the date of retirement till the date of actual payment and the interest amount shall be recovered from erring Officers.

With the aforesaid observation, the application stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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