

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16285 of 2017

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Uma Shankar Prasad, S/o-Late Ram Ugra Singh, Resident of Mohalla- Indrapuri,
P.S. Patliputra, District-Patna.

.... Petitioner/s

Versus

1. Vice Chancellor, Magadh University, Bodh Gaya-Gaya
2. Registrar, Magadh University, Bodh-Gaya,Gaya
3. The Finance Officer, Magadh University Bodh -Gaya-Gaya.
4. Principal, Arvind Mahila College, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Magadh University : Mr. Shivendra Kishore, Sr. Advocate with
Mr. Arabind Nath Pandey, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 09-04-2018

Heard learned counsel for the petitioner and Magadh
University.

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

*“ (A) A writ in the nature of a certiorari or any
other appropriate writ/writs, order/orders,
direction/directions commanding the
respondents to pay*

*(i) The total amount of Group Insurance as the
same has not been paid till date.*

*(ii) Gratuity amount of twenty five per cent
(25%) which has been retained by the
respondents on frivolous grounds while 75% of
Gratuity amount has been paid to the petitioner.*

*(B) to any other relief/reliefs to which the
petitioner may be found to be legally entitled
too.”*



3. From the pleadings on record, it appears that with regard to Group Insurance, cheque has been issued on 31.03.2018 but with regard to the remaining 25 % of Gratuity, the stand is that only after the fixation of pay by the Pay Verification Cell of the State Government, final payment shall be made.

4. Thus, it is apparent that Magadh University has discharged its onus with regard to whatever was admissible and payable at this stage to the petitioner. However, stand taken by the Magadh University that the Pay Verification Cell of the State has to finally fix the pay and then only the remaining admissible dues under the head of Gratuity shall be paid, cannot be faulted.

5. In view of the fact that the State authorities are not party in the present writ petition, the writ petition having served its purpose, as payment, as far as it related to Magadh University, which is the only respondent in the present case, has been paid.

6. Accordingly, the writ petition stands disposed off with liberty to the petitioner to agitate the matter relating to payment of the remaining Gratuity amount, in accordance with law, before the appropriate forum, if so required.

(Ahsanuddin Amanullah, J)

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