

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14469 of 2016

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Sudhir Kumar Sinha Son of Late Birendra Narayan Srivastava permanent resident of Bindhyawasini Bhawan, Rama Nand Path, P.O. & P.S- Laheriasarai, District-Darbhangha.

.... Petitioner/s

Versus

1. B. N. Mandal University, Madhepura through its Registrar.
2. The Vice Chancellor, B. N. Mandal University, Madhepura.
3. The Registrar, B. N. Mandal University, Madhepura.
4. The Finance Officer, B. N. Mandal University, Madhepura.
5. The Financial Advisor, B. N. Mandal University, Madhepura.
6. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
7. The Principal Secretary, Human Resource Development Department, Government of Bihar, Patna.
8. The Director, Higher Education, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binodanand Mishra, Advocate

For the University : Mr. Raju Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 21-03-2018

Heard learned counsel for the petitioner and B. N. Mandal University. Nobody appears on behalf of the State.

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

“I. For issuance of an order direction or writ including writ in the nature of mandamus commanding the respondents to make payment of monthly pension month to month regularly and make payment of unpaid arrears of pension with



interest at the market rate.

II. For issuance of an order, direction or writ including writ in the nature of mandamus commanding the respondents to make payment of gratuity to the petitioner with interest at the market rate as the delay is solely attributed to the respondents;

III. For issuance of an order, direction or writ including writ in the nature of mandamus commanding the respondents to make payment of leave encashment to the petitioner with interest on the delayed payment as the delay is squarely attributed to the respondents;

IV. For issuance of an order, direction or writ including writ in the nature of mandamus commanding the respondents to make payment of group insurance amount to the petitioner with statutory interest;

V. For issuance of an appropriate declaration holding that petitioner is entitled for payment of regular & unpaid arrears of pension, gratuity, leave encashment, group insurance amount with interest as the delay has been caused by the respondents and the petitioner has been made to suffer for no fault on his part.

VI. For any other relief/reliefs for which the petitioner may be found entitled to in the facts and circumstances of the case.”

3. Second supplementary counter affidavit has been filed



on behalf of respondents no. 1 to 5 in which basically the stand is that the very absorption of the petitioner is in dispute.

4. Faced with the situation, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to assail the said stand of B. N. Mandal University.

5. Having regard to the aforesaid, the writ petition stands disposed off with liberty aforesaid.

(Ahsanuddin Amanullah, J)

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