

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25402 of 2013

MAHESH JHA SON OF LATE BASUDEO JHA RETIRED HEAD OF
POST GRADUATE DEPARTMENT OF SANSKRIT TILKA MANJHI
BHAGALPUR UNIVERSITY, BHAGALPUR, RESIDENT OF
KALAYATNAM SHASTRI NAGAR, KASIM BAZAR, P.S.- SADAR,
DISTRICT- MUNGER..... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Human Resources
Development Department (Higher Education), Govt. Of Bihar, Patna
2. Tilka Manjhi Bhagalpur University Through It'S Registrar Tilka Manjhi
Bhagalpur University, Bhagalpur
3. Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur
4. Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
5. Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh
For the Respondent/s : Mr. Binita Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 14-08-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State as well as University.

Learned counsel for the petitioner submits that
petitioner has superannuated in the year 2006.

He submits that the petitioner has filed the present
writ petition for payment of arrears of difference of salary for
the period between January 1984 to December, 1995 and further
for the period of from January, 1996 to December, 2005 and for
the period January, 2006 and February, 2006.

Considering the fact that the petitioner has
superannuated and after superannuation when the writ petition



was filed on 20th December 2013 neither the State nor the University has filed any counter affidavit, there is no point to keep this writ petition pending.

Under the aforesaid circumstances, the respondents are hereby directed to verify the record to ascertain the amount payable to the petitioner as difference of salary for the period as indicated hereinabove and if it is found that difference of arrears payable to the petitioner was not paid then respondent shall ensure to payment of difference of payment of arrears. Final decision on the claim of the petitioner shall be taken by the respondents within maximum period of 60 days from the date of receipt/ production of a copy of this order.

With the aforesaid the writ petition stands disposed of.

It is made clear that the admitted payments if not paid to the petitioner within time frame, the entire arrears will carry interest at the rate of 9 per cent per annum from the pocket of erring officers/ employee of the University. The Vice-Chancellor of the University shall cause an inquiry into the matter for identification and fixing accountability of erring officer.

(Anil Kumar Upadhyay, J)

T.Kr./-

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