

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3627 of 2017

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Bimla Singh, D/o Shri Raghunandan Prasad Singh, Retired Reader, Department of History, Ramesh Jha College, Saharsa residing in Mohall Gang - Jala, P.S. Town Thana, Saharsa, District - Saharsa, PIN 852201

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Government of Bihar, Patna
2. Principal Secretary (Finance), Government of Bihar, Patna
3. Vice Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura
4. B.N. Mandal University, Laloo Nagar, Madhepura through the Registrar, B.N. Mandal University, Laloo Nagar, Madhepura
5. Registrar, B.N. Mandal University, Laloo Nagar, Madhepura

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 4233 of 2017

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Dr. Suresh Prasad Suman @ Suresh Prasad Suman Son of Late Mahabir Prasad Yadav, Resident of Mohalla- Gautam Nagar, Ward No. 11, Police Station Saharsa, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, H.R.D., Government of Bihar, Patna.
2. The Deputy Secretary, H.R.D., Government of Bihar, Patna.
3. The Vice Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
4. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura.
5. The Principal, B.N.M.V College, Sahugarh, Madhepura.
6. The Principal, M.L.T. College, Saharsa.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 5422 of 2017

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Lakshmi Singh, Wife of Late Prof. Arvind Narayan Singh, Resident of Anup Bhawan, D.B. Road, Saharsa, Police Station - Saharsa, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Government of Bihar, Patna



2. The Principal Secretary, Department of Higher Education, Government of Bihar, Patna
3. The Bhupendra Narayan Mandal University, through the Vice Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar Madhepura
4. The Vice - Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar Madhepura
5. The Registrar, Bhupendra Narayan Mandal University, Laloo Nagar Madhepura
6. The Finance Officer, Bhupendra Narayan Mandal University, Laloo Nagar Madhepura
7. The Principal, MLT Saharsa College Saharsa
8. The Lalit Narayan Mithila University, through Registrar, Lalit Narayan University, Darbhanga
9. The Registrar, Lalit Narayan Mithila University, Darbhanga

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 9317 of 2017

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Dr. Rajdeva Mishra Son of Late Kant Mishra Resident of Raj Hata Binodpur, Ward No. 37, P.S. + District - Katihar a superannuated employee as Reader in the subject of Botany from Darshan Sah College, Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
4. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura.
5. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Vice-Chancellor, L.N. Mithila University, Darbhanga.
7. The Registrar, L.N. Mithila University, Darbhanga.
8. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.
9. The Principal, Darshan Sah College, Katihar, a constituent unit of B.N.Mandal University, Lalu Nagar, Madhepura.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 10226 of 2017

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Dr. Nitya Nand Jha, Son of Late Siyaram Dutt Jha, Resident at P.O.- Samsa, P.S.- Mansoor Chak. District- Begusarai, retired as Associate Professor, Department of Chemistry, Darshan Sah College, Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Vice Chancellor, B.N. Mandal University, Madhepura.



4. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura.
5. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Vice Chancellor, L.N. Mithila University, Darbhanga.
7. The Registrar, L.N. Mithila University, Darbhanga.
8. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.
9. The Principal, Darshan Sah College, Katihar, a constituent unit of B.N. Mandal University, Lalu Nagar, Madhepura.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 11535 of 2017

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Dr. Sundeshwer Narain Karn, S/o Late Udeshwar Narain Karn, Resident of Mohalla- Prabhat Nagar, Near D.S. College, Katihar, at P.O., P.S. & district- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Govt. of Bihar, Patna.
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 Principal, D.S. College, Katihar.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 15490 of 2017

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Harish Chandra Thakur, S/o Late Uma Kant Thakur, Resident of Village-Jainagra, P.S. Chatapur, District-Supaul, Presently residing in Shivpuri Ward no.9, Araria, P.S. and District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. B.N. Mandal University, Lalu Nagar, Madhepura. through its Registrar.
4. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
5. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura.
7. The Principal, Araria College, Araria.
8. The Accountant General Bihar, Patna.

.... Respondent/s

with



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Civil Writ Jurisdiction Case No. 15555 of 2017

=====

Birendra Kumar Roy, S/o Surya Kumar Roy, resident of Mohalla Shivpuri, Ward No. 9, Araria, P.S. and District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. B.N. Mandal University, Lalu Nagar, Madhepura through its Registrar.
4. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
5. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura.
7. The Principal, Araria College, Araria.
8. The Accountant General, Bihar, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 19354 of 2017

=====

Krishna Kumar Das, Son of Late Abadh Bihari Lal Das, Resident of Chankya Puri, Gangjalla, Wad No.19, Bharouli, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Human Resource Department, Government of Bihar.
2. The Vice-Chancellor, B.N. Mandal University, Madhepura.
3. The Registrar, B.N. Mandal University, Madhepura.
4. The Finance Officer (FO), B.N. Mandal University, Madhepura.
5. The Director, Higher Education, Government of Bihar.
6. The Principal Secretary, Department of Finance, Government of Bihar.
7. The Accountant General, Bihar.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 28 of 2018

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Brahmanand Prasad, Son of Late Bhajanand Prasad, Resident of At- Ward No. 14, Jaipat Patti, P.O.- Madhepura, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.



3. Bhupendra Narayan Mandal University, Lalu Nagar, Madhepura through its Registrar.
4. The Vice Chancellor, Bhupendra Narayan Mandal University Lalu Nagar, Madhepura.
5. The Registrar, Bhupendra Narayan Mandal University, Lalu Nagar, Madhepura.
6. The Finance Officer, Bhupendra Narayan Mandal University, Lalu Nagar, Madhepura.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 5301 of 2017

=====

Bodh Nath Mishra son of Late Som Nath Mishra resident of village - Pahitola (East), P.O. - Sarisab-pahi, P.S. - Pandaul, District - Madhubani.

.... Petitioner/s

Versus

1. Bhupendra Narayan Mandal University, Madhepura through its Registrar.
2. The Vice-Chancellor, Bhupendra Narayan Mandal University, Madhepura.
3. The Registrar, Bhupendra Narayan Mandal University, Madhepura.
4. The Finance Advisor, Bhupendra Narayan Mandal University, Madhepura.
5. The State of Bihar, through the Principal Secretary, Human Resources Development Department (Higher Education), Old Secretariat, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 1373 of 2018

=====

Bibhu Shekhar Jha, Son of Shiv Shankar Jha, Resident of Mohalla-Gangjala, Ward No.-19, Ramesh Jha Road, P.S.-Town, District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Bhupendra Narayan Mandal University, through its Registrar, Lalu Nagar, Madhepura.
3. Ther Vice-Chancellor, Bhupendra Narayan Mandal University, Lalu Nagar, Madhepura
4. The Registrar, Bhupendra Narayan Mandal University, Lalu Nagar, Madhepura.
5. The Principal, Ramesh Jha Mahila College, Saharsa.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 18598 of 2017

=====



Dr. Sheo Kumar Jha Son of late Vishwanath Jha Resident of Village- Dibra, P.S. Nauhatta, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Government of Bihar.
2. The Vice Chancellor, B.N. Mandal University, Madhepura.
3. The Registrar, B.N. Mandal University, Madhepura.
4. The Finance Officer(FO), B.N. Mandal University, Madhepura.
5. The Director, Higher Education, Government of Bihar.
6. The Principal Secretary, Department of Finance, Government of Bihar.
7. The Accountant General, Bihar.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 143 of 2018

=====

Amrendra Kumar Singh, Son of Sri Mohanlal Singh, Resident of Basant Vihar, Kosi Colony, Purnia (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Higher Education, Government of Bihar, Patna.
3. The B.N. Mandal University, Madhepura through its Registrar.
4. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
5. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura.
7. Principal, Purnea College, Purnea.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 12382 of 2017

=====

Kalyani Gupta, Wife of Raghunath Pd. Gupta, resident of Professor Colony, Ward no. 19, At+P.O.-Birpur, P.S.-Birpur, District-Supaul.

.... Petitioner/s

Versus

1. The B.N. Mandal University, Laloo Nagar, Madhepura. through the Registrar of University.
2. THE Vice-Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
3. The Registrar, B.N. Mandal University, Laloo Nagar, Madhepura.
4. The State of Bihar, through the Principal Secretary, HRD Deppt., Government of Bihar, Patna.



..... Respondent/s
with

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Civil Writ Jurisdiction Case No. 14348 of 2017

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Kamal Narayan Yadav, Son of Late Yamuna Prasad Yadav, Resident of Village-
Kanhaili Via Forbesganj, P.S.- Forbesganj, District- Araria at present residing at
Kali Bazar, Araria, P.O. & P.S.- Araria, District- Araria.

..... Petitioner/s
Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Higher Education, Government of Bihar, Patna.
3. The B.N. Mandal University, Lalu Nagar, Madhepura through its Registrar.
4. The Vice- Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
5. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura.
7. Principal, Araria College, Araria.
8. Accountant General, Bihar, Patna.

..... Respondent/s

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Appearance :

(In CWJC No.3627 of 2017)

For the Petitioner/s : Mr. Indu Bhushan Pandey, Advocate
For the Respondent/s :

(In CWJC No.4233 of 2017)

For the Petitioner/s : Mr. Viveka NandSingh, Advocate
For the State : Mr. J. R. Roy-1, SC 13

(In CWJC No.5422 of 2017)

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate
For the State : Mr. Prabhakar Jha, GP 27 with
Mr. Umesh Narayan Dubey, AC to GP 27

For the University : Mr. Mithilesh Kumar Rai, Advocate

(In CWJC No.9317 of 2017)

For the Petitioner/s : Mr. Virendra Prasad, Advocate
For the State : Mr. Madhaw Pd. Yadav, GP 23
For the University : Ms. Archana Palkar Khopdre, Advocate
For the University : Mr. Shashi Bhushan Singh, Advocate

(In CWJC No.10226 of 2017)

For the Petitioner/s : Mr. Virendra Prasad, Advocate



For the State	:	Smt. Shilpa Singh, GA 12
For the University	:	Mr. Shashi Bhushan Singh, Advocate
(In CWJC No.11535 of 2017)		
For the Petitioner/s	:	Mr. Amarendra Narayan, Advocate
For the State	:	Mr. Shashi Shekhar Tiwary, AC to AAG 5
For the University	:	Mr. Shashi Bhushan Singh, Advocate
(In CWJC No.15490 of 2017)		
For the Petitioner/s	:	
For the Respondent/s	:	
(In CWJC No.15555 of 2017)		
For the Petitioner/s	:	Mr. Baleshwar Kamat, Advocate
For the State	:	Mrs. Binita Singh, SC 28
For the Accountant General	:	Mrs. Namrata Mishra, Advocate
(In CWJC No.19354 of 2017)		
For the Petitioner/s	:	
For the Respondent/s	:	
(In CWJC No.28 of 2018)		
For the Petitioner/s	:	Mr. Sanjiv Kumar, Advocate
For the State	:	Mr. Prabhakar Jha, GP 27 with
		Mr. Umesh Narayan Dubey, AC to GP 27
For the University	:	Mr. Md. Aslam Ansari, Advocate
(In CWJC No.5301 of 2017)		
For the Petitioner/s	:	
For the Respondent/s	:	
(In CWJC No.1373 of 2018)		
For the Petitioner/s	:	
For the Respondent/s	:	
For the University	:	Mr. Shashi Bhushan Singh, Advocate
(In CWJC No.18598 of 2017)		
For the Petitioner/s	:	
For the Respondent/s	:	
(In CWJC No.143 of 2018)		
For the Petitioner/s	:	
For the Respondent/s	:	
(In CWJC No.12382 of 2017)		



For the Petitioner/s : Mr. Raghav Prasad No.-1, Advocate
For the State : Smt. Binita Singh, SC 28
For the University : Mr. Md. Aslam Ansari, Advocate
(In CWJC No.14348 of 2017)
For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the University : Mr. Raju Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 02-05-2018

Heard learned counsel for the petitioners; State and B. N. Mandal University (hereinafter referred to as the 'University').

2. A consolidated third supplementary counter affidavit has been filed on behalf of the University in which it has been stated that all the admitted retiral dues have been paid and with regard to the arrears in terms of the 5th Pay Revision, without getting into the intricacies as to whether the State has actually released funds for the same or not, the University shall be making the payment within one month from today.

3. In C.W.J.C. No. 5301 of 2017, learned counsel for the University took a categorical stand that he has not submitted any paper which is mandatory for processing the claim for payment of post retiral dues. It was submitted that upon him doing so, within a month, payment shall be made of the admitted dues.

4. In C.W.J.C. No. 14348 of 2017, learned counsel for the University submitted that Group Insurance amount has remained



unpaid as the Principal has not forwarded the chart but it is assured that within one month, the same shall also be paid to the petitioner.

5. With regard to C.W.J.C. No. 11535 of 2017, the stand of learned counsel for the University is that calculation relating to the arrears arising out of difference of pay scale of the Professor has been made and payment shall be made within one month.

6. Learned counsel submitted that the payments could not be made prior to filing of the affidavit due to vacation and the Vice Chancellor being out of station, as now he is back on duty, the same shall be made and only to be on the safe side, so that no default is committed, one month time has been prayed for. However, there would be every endeavour to ensure payment at the earliest.

7. Having regard to the aforesaid, in the opinion of the Court, the writ petitions have served their purpose and accordingly stand disposed off. However, as has been agreed to by learned counsel for the University, if there is any further grievance remaining or there appears to be any less payment made to any of the petitioners, the University authorities are ready to consider the same upon a detailed representation in this regard being filed before them.

8. In view thereof, the Court would grant liberty to all the petitioners to file detailed representation with regard to their remaining claims or with regard to there being any miscalculation in



the amounts paid to them.

9. If such representation is filed within four weeks from today, before the Registrar of the University, the same shall be looked into and considered and also verified from the records and detailed order passed within four weeks from the date of filing of such representation. If any further payment is required to be made to any of the petitioners, the same shall also be credited into their account, in accordance with law, within four weeks from the date of passing of the order on such representation.

(Ahsanuddin Amanullah, J)

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