

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10915 of 2014

Dr. Bimla Prasad Singh, S/o Late Shree Narayan Singh, resident of Mohalla-Azad Nagar, P.S.- Munger, District- Munger presently posted as Reader in the department of Mathematics, B.R.M. College, Munger a constituent Unit of T.M. Bhagalpur University, Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Higher Education, Govt. of Bihar, New Secretariat, Patna
3. The Authorised Officer, Pay Verification Cell, Education Department, Bihar State Text Book Corporation Ltd. Budha Marg, Patna, Bihar
4. The Vice Chancellor, T.M. Bhagalpur University, Bhagalpur
5. The Registrar, T.M. Bhagalpur University, Bhagalpur
6. The Finance Officer, T.M. Bhagalpur University, Bhagalpur
7. The Principal, B.R.M. College, Munger

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s : Mr. Anil Singhsc13-Arvind Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State as well as the University.

The issue involved in the present writ application is grant of annual increment for acquiring Ph.D. degree prior to the 01.01.1996. The present issue was considering by the Division Bench in L.P.A. No. 269 of 2016 vide judgment dated 27.07.2017. The following direction was issued:-

*“In our considered
view when all other identically situated
teachers have been granted the benefit*



effective from 27.07.1998, the appellant is also entitled to the said benefits. Merely because in the earlier round of litigation the appellant had not agitated his claim with regard to payment of two advance increments from 27.07.1998, he cannot be deprived of the said benefits.

Keeping in view the aforesaid, we allow this appeal, direct for payment of two advance increments to the appellant effective from 27.07.1998. The payment must be made by the State Government within a period of two months from the date of receipt/production of a copy of the order. So far as the right of the respondents to take any other action against the appellant is concerned, it is for the respondents to proceed in the matter in accordance with law.,,

In view of the judgment of the Division Bench in L.P.A No. 269 of 2016 vide judgment dated 27.07.2017 the writ application is disposed of with a direction to the respondent to



take final decision within a maximum period of four months from the date of receipt/production of a copy of this order and extend the consequential benefit to the petitioner within a further period of one month.

The writ petition is disposed of in the light of L.P.A No. 269 of 2016 vide judgment dated 27.07.2017.

(Anil Kumar Upadhyay, J)

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