

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.239 of 2012

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VIJAY KUMR, S/O LATE DR. KAMESHWAR SHARMA R/O
MOHALLA- BISHUNPUR, P.O.- MIRZAPUR BANDWAR, P.S.-
BEGUSARAI, DISTRICT- BEGUSARAI, A SUPERANNUATED
EMPLOYEE AS UNIVERSITY PROFESSOR FROM G.D. COLLEGE,
BEGUSARAI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE DIRECTOR, HIGHER EDUCATION, GOVERNMENT OF BIHAR,
PATNA
3. THE VICE-CHANCELLOR LALIT NARAYAN MITHILA UNIVERSITY,
DARBHANGA
4. THE REGISTRAR, LALIT NARAYAN MITHILA UNIVERSITY,
DARBHANGA
5. THE FINANCE OFFICER LALIT NARAYAN MITHILA UNIVERSITY,
DARBHANGA
6. THE PRINCIPAL, G.D. COLLEGE, BEGUSARAI

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Adv
For the Respondent/s	:	Md. Raizul Haque SC-10
		Md. Obaidullah AC to SC-10
For LNMU	:	Mr. Chandramohan Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 26-06-2018 After the death of the original petitioner namely Dr.

Kameshwar Sharma an interlocutory application, bearing I.A

No. 8754 of 2014, has been filed for substituting his legal heirs.

In view of the fact and circumstances indicated in I.A.

No. 8754 of 2014 the petition for substitution is allowed. The

name of of legal heirs of Dr. Kameshwar Sharma mentioned in



paragraph-5 is substituted in place of the original petitioner.

Mr. Shashi Bhushan Singh learned counsel for the petitioner submits that all the three issues raised in the present writ application stands concluded by the decision of the Division Bench of this Court, decision of the University and as such there is nothing to be decided in the present writ application. It is now upto the University to take decision in the light of the decision passed in LPA No. 269 of 2016 . So far as two advance increments for doing P.hd degree prior to 01.01.1996.

So far as payment of salary for the strike period is concerned, the University has taken decision vide notification dated 16.05.2018 that the period of strike should be converted as earned leave. The third issue with regard to GIC is also covered by the decision of the University and others have been granted GIC.

In view of the above the writ petition is disposed of with a direction to the University that if the University has not paid salary for the strike period converting the same as earned leave, and the benefit of two advance increments for doing P.hd prior to 01.01.1996 and benefit of GIC as yet the University may consider and grant monetary benefit to the substituted



petitioner within a maximum period of three months from the date of receipt/production of a copy of this order.

With the aforesaid the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Banti/- T.Kr.

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