

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12943 of 2018

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Prof. Sheo Shankar Singh, Son of Late Kailash Singh, Resident of MIG 14, Sector-I, Bihar Housing Board, Barari, P.S.- Barari, District- Bhagalpur, Retired as University Professor in the the subject of Chemistry, G.D. College. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Higher Education, Govt. of Bihar, New Secretariat, Patna.
3. The Vice-Chancellor, L.N. Mithila University, Darbhanga.
4. The Registrar, L.N. Mithila University, Darbhanga.
5. The Finance Officer, L.N. Mithila University, Darbhanga.
6. The Principal, G.D. College, Begusarai, District- Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the State	:	Mr. Madhaw Prasad Yadav, GP 23
For the L.N. Mithila University	:	Mr. Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 11-07-2018

Heard learned counsel for the petitioner; State and L. N. Mithila University (hereinafter referred to as the ‘University’).

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

“(1) For issuance of an appropriate writ in the nature of Certiorari for quashing the letter No. LC 298/17 dated 17.11.2017 by which on pretext of letter No. 314 dated 9.3.2016 the University has



denied to make payment the arrears of pension for the period of 01.08.2004 to 28.02.2006 and also for a quashing of letter No. 314 dated 9.03.2016 issued under the signature of Director which is in teeth of policy decision of the State Govt. i.e. clause-4 (D) of Bihar Litigation Policy.

(II) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondent authority to make payment the arrears of difference of pension for 01.08.2004 to 28.02.2006 in revised scale of University Professor in view of the order passed in CWJC No. 16404/2007 and its analogous cases vide order dated 15.3.2013 upheld by the Hon'ble Division Bench and a direction for payment of aforesaid arrears with 5% interest on account of delay as the same has been paid to others. Moreover, from the information supplied under Right to information Act from the University it is evident that the option of the petitioner was submitted before University after cut-off date which comes under no option i.e. Appendix-A.

(III) For issuance of any other appropriate writ/writs, order/orders, direction/ directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case."

3. Learned counsel for the petitioner submitted that the issue has been decided by the Court in C.W.J.C. No. 13991 of 2017



and analogous cases by judgment and order dated 22.06.2018.

4. Learned counsel for the respondents do not dispute the aforesaid position.

5. In view thereof, the writ petition stands disposed off in terms of the aforesaid order dated 22.06.2018.

(Ahsanuddin Amanullah, J)

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