

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22745 of 2013

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SHRI NARAYAN TRIVEDI SON OF LATE RAMDEO TRIVEDI
RESIDENT OF VILLAGE MADHOPUR, POLICE STATION
MUSHAHARI, DISTRICT MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Human Resources Development Department, New Secretariat, Vikas Bhawan, Patna
3. Secretary, Higher Education Department, Government Of Bihar, New Secretariat, Patna
4. Director, Higher Education Department, Null Government Of Bihar, New Secretariat, Patna
5. B.R. Ambedkar Bihar University, Through Its Registrar, Muzaffarpur
6. Vice-Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur
7. Registrar, B.R. Ambedkar Bihar University, Muzaffarpur
8. The Principal, Ram Briksh Benipur Mahila College, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan
For the Respondent/s : Mr. Sita Ram Yadav, G.P.-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 21-08-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State as well as the University.

Learned counsel for the petitioner submits that during
pendency of the writ petition the University vide office order
contained in Annexure-14 has admitted the service of the
petitioner with effect from 18.4.1979 notionally for pensionary



benefits only and no payment was made admissible prior to regularization of the service i.e. prior to 10.12.2012. Respondents have admitted the entitlement of counting of service w.e.f. 18.04.1979 notionally by Annexure-14 dated 26.12.2018 and as such the only issue according to the petitioner remains to be decided in the present proceeding is whether the benefit of past service shall be counted for the purpose of benefit of pay fixation counting the service from 14.4.1979 or not ?

Since the respondents themselves admitted the service notionally w.e.f 18.4.1979 as such they are required to consider the case of the petitioner for extending the benefit of notional service so that the petitioner may be granted benefit of notional benefit on the basis of length of service from 18.4.1979 for the purpose of increment notionally only for the purpose of fixation of pensionary benefits and pension revision.

With the aforesaid observation and direction, the writ petition is disposed of. The respondents are directed to workout the revision of pension counting the service from 18.04.1979 notionally and grant consequential benefit within a period of four months from the date of receipt/production of a copy of this order.



With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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