

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12165 of 2018

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Anuradha Das Gupta, Niece of Late A.K. Dasgupta, 70, Kendua Main Road,
Garia- 700084, Kolkata, West Bengal.

.... Petitioner/s

Versus

1. Magadh University Bodh Gaya 824234.
2. Vice Chancellor Magadh University Bodh Gaya - 824234.
3. B.S. College Danapur, Patna- 800012.
4. Principal B.S. College, Danapur, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate
For the Magadh University : Mr. Shivendra Kishore, Sr. Advocate
Mr. Arabind Nath Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 27-07-2018

Heard learned counsel for the petitioner and Magadh
University.

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

*“That this writ petition is being filed with
prayer for issuance of an appropriate writ order
and/or direction of an appropriate to release the
provident fund dues along with interest of Ashok
Kumar Das Gupta who died in harness while
working as Lectures in Philosophy in B.S. College
Danapur a constituent College under Magadh
University, Bodh Gaya Bihar.”*

3. The petitioner claims to be the niece of late A.K.
Dasgupta, who died in harness while working on the post of Lecturer



in B.S. College, Danapur on 12.09.1976, for payment of his Provident Fund dues.

4. The Court does not feel inclined to interfere in the matter for two reasons. Firstly, the claim relating to money having been raised after 42 years in the present writ application is hopelessly hit by the principle of delay and laches. Secondly, the niece is claiming the benefit accruable to her uncle and, thus, the Court finds that after lapse of many decades, there being no direct heir, the matter should now be closed once and for all.

5. For the reasons aforesaid, the writ petition stands disposed off.

6. However, it shall not preclude the petitioner from moving before the appropriate forum, in accordance with law, with regard to the claim raised in the present application but, without any opinion expressed by the Court.

(Ahsanuddin Amanullah, J)

P. Kumar

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