

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17385 of 2016

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Parmeshwar Singh Son of Late Yadu Nandan Singh, resident of Village-Mane,
P.O.-Mane, P.S.-Ekma, District:-Saran, retired Professor, Nand Lal Singh College,
Jaitpur, Daudpur, Chapra.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat, Patna.
2. Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur, through its Registrar.
3. The Vice Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
4. The Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur.
5. Jai Prakash University, Chapra through its Registrar.
6. The Vice Chancellor, Jai Prakash University, Chapra.
7. The Registrar, Jai Prakash University, Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Praveen Prabhakar, Advocate
For the State	:	Mr. Ram Vinay Prasad Singh, A.C. to G.A. XII.
For the B.R.A. Bihar University	:	Mr. Vikash Ratan Bharti, Advocate
For the J.P. University	:	Mr. Nagendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-02-2018

Heard learned counsel for the petitioner; State; B.R.A.

Bihar University and J.P. University.

2. Counter affidavit has been filed on behalf of B.R.A.



Bihar University whereas supplementary counter affidavit has been filed on behalf of J.P. University.

3. From the materials on record, it transpires that the J.P. University, which is required to make the payment, has paid Earned Leave dues and Group Insurance at the rate of 12.5%. However, no calculation chart with regard to computation of Earned Leave has been brought on record and further the computation chart relating to Group Insurance discloses that though the total amount, along with interest till October, 1982 in the account of the petitioner was Rs. 11068/- and from November, 1992, the calculation has been made afresh without the opening balance being shown as Rs. 11068/- and, thus, obviously, the accounting is erroneous. The Group Insurance account of an employee is a running account and as is not connected with any bifurcation of any University, as the same only results in the account being administered by one authority being substituted by another authority. The employee concerned has nothing to do in the matter and his account cannot be bifurcated into two periods. Once the account has been initiated in December, 1985 by the present petitioner, till the end, it has to be continuous and ongoing on which the admissible interest has to be paid in continuity.

4. Learned counsel for the J.P. University fairly submitted that the same is required to be done, but it seems that



erroneously it has not been done. He submitted that fresh calculation shall be made and the due amount shall be paid within four weeks. He further submitted that even calculation relating to Earned Leave shall be provided to the petitioner for his satisfaction.

5. In the aforesaid background, the writ petition stands disposed off with the observation that as has been undertaken by learned counsel for the J.P. University before the Court, the remaining amount of Group Insurance in terms of the above discussions, shall be paid to the petitioner within four weeks and detailed chart of calculation of Earned Leave shall also be provided to him. The Court would further indicate that the writ petition being disposed off in light of the commitment given on behalf of J.P. University, the Court should not have any occasion in future to consider the matter of alleged disobedience or non compliance of this order.

6. Upon receipt of the calculation chart relating to Earned Leave, if the petitioner feels aggrieved, he shall be at liberty to file a detailed representation before the Registrar of the University along with supporting documents relating to such claim within four weeks. If such a representation is filed, the Registrar of the University shall pass a reasoned order after verification from the records of the University and the college concerned within four weeks thereafter. If



it transpires that any further amount is to be paid to the petitioner,
the same shall also be paid to him within the next three weeks.

(Ahsanuddin Amanullah, J.)

P. Kumar

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