

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3433 of 2014

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Dr. Sukeshwar Prasad Singh, Son of Late Jannoo Singh, Resident of Flat No. Y-B-2, Sahvikas (CGHS), I.P. Extension, P.S.- Mandavali, Delhi.

.... Petitioner/s

Versus

1. Lalit Narayan Mithila University, Darbhanga through its Registrar.
2. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
3. The Registrar, Lalit Narayan Mithila University, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandan Jha, Advocate
For the L.N.M.U. : Mrs. Binita Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 30-03-2018

Heard learned counsel for the petitioner and L.N. Mithila University (hereinafter referred to as the 'University').

2. Supplementary counter affidavit has been filed on behalf of the University and supplementary affidavit has also been filed on behalf of petitioner.

3. The writ petition has been filed seeking payment of earned leave and the University today is taking the stand that after due calculation, 85 days was found unavailed and payable for which cheque has been prepared and intimated to the petitioner which he can collect from the office. A chart has also been brought on record showing such calculation.

4. Learned counsel for the petitioner submitted that the



calculation is not correct.

5. Be that as it may, the Court cannot go into the factual correctness of the calculation made by the University moreso for the reason that *prima facie*, no such glaring defect or error has been brought to its notice.

6. Be that as it may, the writ petition stands disposed off with liberty to the petitioner to make detailed representation to the Registrar of the University with regard to any error in the calculation of his entitlement for payment of earned leave. Such representation shall contain detailed calculation chart prepared by the petitioner with regard to what he asserts in such representation. If the same is filed within four weeks from today, the Registrar (respondent no. 3) shall consider the same and upon verification from the relevant records, pass a reasoned order within one month from the filing of the representation. If the Registrar comes to the conclusion that the contention of the petitioner is correct and he is required to be paid any further amount, the same shall also be paid to him within four weeks from the date of passing of the order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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