

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4076 of 2018

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Rambha Devi W/o Late Hari Shankar Jha, Resident of Village and P.O.-Rajni
Babhangawan, P.S.-Murliganj, District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Higher Education, Government of Bihar, Patna.
3. The Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura through its Registrar.
4. The Vice Chancellor, Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura, District-Madhepura.
5. The Principal, Rajendra Mishra College, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate
For the B.N.M. University	:	Mr. Ritesh Kumar, Advocate
For the State	:	Mr. Rajeev Ranjan, A.C. to G.P. 20

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-09-2018

Heard learned counsel for the petitioner; State and B.N.

Mandal University (hereinafter referred to as the 'University').

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

*“That this writ application is being filed for
issuance of an appropriate writ/writs, order or
orders in the nature of mandamus for directing and
commanding the respondents to pay the death-cum-
retiral benefits of the husband of the petitioner was*



working as Storekeeper at R.M. College, Saharsa in the department of Botany and whose services had already been absorbed by the respondent university Under Section 4 (1) (14) of the University Act, 1976 read with the observation and direction issued by the Hon'ble Supreme Court of India in Civil Appeal No.6098/97 with the approval of the syndicate by its meeting dated 22.02.06 and as much as in pursuance to the government notification bearing Memo No. 25C dated 12.02.90 vide Memo No. 358 dated 28.02.2006 and thereafter the husband of the petitioner died on 16.07.10 and further for any other appropriate relief or reliefs for which the petitioners are entitled in the facts and circumstances of this case."

3. At the very outset, learned counsel for all the parties took a stand before the Court that the matter is identical and covered by a recent judgment of a co-ordinate Bench of this Court dated 19.07.2018 in C.W.J.C. No. 335 of 2018, in the case of **Sunil Kumar Mallick vs. The State of Bihar & Ors.**, copy of which has been made Annexure-9 to the reply filed on behalf of the petitioner, which was disposed off in light of the decision of the Court in C.W.J.C. No. 17670 of 2017 dated 17.07.2018 in the case of **Akhilanand Singh & Ors. vs. The State of Bihar & Ors.** and its analogous cases.

4. In view of the common position as noted above, the present writ petition also stands allowed in terms of the order dated 17.07.2018 in the case of **Akhilanand Singh & Ors.** (supra) in C.W.J.C. No. 17670 of 2017.



5. In view of the submission of learned counsel for the petitioner that she is an old widow lady, the Court would appreciate if the State and the University show promptness in the matter.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
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