

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18709 of 2017

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Raj Kumar son of Sri Bhola Prasad resident of House No. 3, New Punjabi Colony,
Near Badshah Agarbatti Factory, Chitkohra, Post Office - Anisabad, Police Station
- Gardanibagh, Town and District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna - 800015.
2. The Principal Secretary, Department of Animal Husbandary, Government of Bihar, Patna.
3. The Bihar Animal Sciences University through its Vice Chancellor.
4. The Registrar, Bihar Animal Sciences University Respondent Nos. 3 & 4 having their offices in the Bihar Veterinary College Campus, Near Patna Airport, Patna - 800014.
5. The Bihar Veterinary College through its Dean, Near Patna Airport, Patna - 800014.
6. The Dean, Bihar Veterinary College, Near Patna Airport, Patna - 800014.
7. The Principal, Bihar Veterinary College, Near Patna Airport, Patna - 800014.
8. The Bihar Agricultural University, Sabour, Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajiv Nayan Singh, Advocate
For the State	:	Ms. Prakritita Sharma, AC to SC 25
For the Respondents No. 3 to 7	:	Mr. Rajendra Lal Das, Advocate
For the BAU	:	Mr. Anjani Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 14-03-2018

Heard learned counsel for the petitioner; State and
Bihar Animal Sciences University.

2. In terms of order dated 31.01.2018, counter affidavit
has been filed on behalf of respondents no. 3 to 7 in which the stand is
that 90% provisional pension has been paid and other dues totalling
Rs. 10,87,832/- have been credited into the account of the petitioner.
It has further been stated that the petitioner has tampered his service



book which was in transit from Bihar Agricultural University, Sabour to the Animal Sciences University at Patna for verification. The Court has been informed that in this connection, a substantive F.I.R. has also been instituted.

3. Having regard to the aforesaid, the Court finds that the petitioner, for the present, shall only be entitled to provisional pension and gratuity in terms of the law laid down by the Court in the case of **Vijay Kumar Mishra v. State of Bihar** reported as **2017(1) PLJR 575**.

4. Accordingly, the writ petition stands disposed off. The respondent no. 4 shall provide a detailed calculation chart to the petitioner within two weeks from the date of production of a copy of this order before him. It is further observed that the settlement of the remaining admitted claims of the petitioner which has been stated to be in progress, at paragraph no. 7 of the counter affidavit, the authorities shall ensure that the same, to the extent permissible and admitted at this stage, be paid within four weeks from the date of production of a copy of this order before the respondent no. 4.

(Ahsanuddin Amanullah, J)

Anjani/-

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