

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22574 of 2013

Dr. Pashupati Poddar, Son of Late Shivnandan Poddar, resident of Mohalla Mundichak (Naya Tola), RBSS Sahay Road, PS Ishawchak (Under Kotwali), District Bhagalpur

... .. Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University, Bhagalpur through the Vice Chancellor
2. The Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur
3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
4. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur
5. The Principal, J P College, Narayanpur (a constituent unit of Tilka Manjhi Bhagalpur University, Bhagalpur), Bhagalpur
6. The State of Bihar through the Secretary, Department of Human Resources Development, Department of Higher Education, Government of Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Radha Raman Verma
For the Respondent/s : Mr. Vinay Kriti Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 19-11-2018 The only issue involved in the present writ application is whether indecisiveness on the part of the respondents would disentitle the petitioner for grant of the benefit from due date or the respondents have to grant the benefit which is admissible to the petitioner under the scheme of grant of two advance increments in terms of recommendation of the University Grants Commission.

Learned counsel for the petitioner has drawn attention of this Court to Annexure-3, whereby the benefit was admissible with effect from 27.07.1998 but monetary benefit is accrued only from the date of actual decision granting such benefit. The



petitioner who was eligible for grant of such benefit with effect from 27.07.1998 cannot be made to suffer on account of delayed decision on the part of the respondents in granting the benefit of two advance increments.

Accordingly, the Court holds that benefit to the petitioner for grant of two advance increments shall be admissible with effect from 27.07.1998 and the petitioner cannot be made suffer on account of delay in taking such decision of grant of two advance increments by the respondents. The respondents have to ignore Annexure-3 while taking decision for grant of monetary benefit of such increments with effect from 27.07.1998 and grant all consequential benefits with effect from 27.07.1998 within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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