

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23083 of 2012

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1. RAMBHA DEVI S/O Late Baldeo Singh R/O Villge- Lakhnaur, P.O. Lakhnaur,
District- Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Human Resources Development Department,
Government Of Bihar, Patna
3. The Secretary Department Of Higher Education, Government Of Bihar, Patna
4. The Director, Higher Education Government Of Bihar, Patna
5. The Vice Chancellor Baba Saheb Bhim Rao Ambedkar, Bihar Unvierstiy,
Muzaffarpur
6. The Registrar Baba Saheb Bhim Rao Ambedkar, Bihar University, Muzaffarpur
7. The Finance Officer Baba Saheb Bhim Rao Mabedkar, Bihar University,
Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti

For the Respondent/s : Mr. Avinash, A.C. to S.C.-6.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 14-08-2018

Heard learned counsel appearing on behalf of petitioner as well as
learned counsel appearing on behalf of the State.

Today supplementary affidavit has been filed on behalf of the
petitioner enclosing the copy of the decision of the State Government in
the Education Department to indicate that the pay-scale for the Assistant
of the college and University has been fixed at Rs.5500/- 9000/- and as
such submitted that the husband of the petitioner superannuated as
Assistant and as such he was entitled to fixation of pensionary benefits on
the basis of the pay-scale admissible as Assistant. He further submitted
that the respondents have arbitrarily reduced the pay-scale at the time of



fixation of pension of the husband of the petitioner and in view of the latest decision of the State Government, as contained in Annexure-15 dated 23.06.2014, the respondent University is required to work out the entitlement of the post retiral and other admissible dues of the late husband of the petitioner on the basis of the decision of the State Government, contained in Annexure-15.

In view of the above, this writ petition is disposed of with the direction to the respondent-University to examine the claim of the petitioner in the light of the decision of the State Governed, Anneuxre-15, and if it is applicable then proper necessary corrective measures may be taken by the University in the matter of determination of the admissible pension and other dues. Necessary decision in this regard must be taken by the respondent-University within a maximum period of three months from the date of receipt of a production of a copy of this order.

With the aforesaid observations and directions, this writ petition is disposed of.

(Anil Kumar Upadhyay, J)

Sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27/08/2018
Transmission Date	NA

