

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11859 of 2018

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Dr. Baleshwar Paswan, Son of Late Mahabri Paswan, resident of Radha Nagar,
P.O. and P.S.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education,
Government of Bihar.
2. The Vice Chancellor, Veer Kunwar Singh University Ara.
3. The Registrar, Veer Kunwar Singh, University Ara.
4. The Finance Officer, Veer Kunwar Singh University Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Asif Kalim, Advocate
For the V.K.S.U. : Mr. Kinkar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 04-09-2018

Heard learned counsel for the petitioner; State and Veer
Kunwar Singh University (hereinafter referred to as the
‘University’).

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

*“[A] For issuance of an appropriate writ,
order or direction for commanding the respondent
authorities to pay the post retirement dues of total Rs.
32,86,218/- (Rupees thirty two lakh eighty Six
thousand and two hundred eighteen one only) which
includes Gratuity, Group insurance and pay
differences along with 12.5% of compound interest,
since as yet petitioner has not received these amount.*

*[B] For issuance of an appropriate writ,
order or direction for commanding the respondent
authorities to provide the calculation chart with
regard to dues of the petitioner before the authorities
concerned.*

[C] For any other relief or relief the



petitioner is entitled in the opinion of this Hon'ble High Court."

3. Counter affidavit has been filed on behalf of the University in which admitted dues are shown to be paid to the petitioner. However, with regard to Group Insurance the statement is that a cheque of Rs. 1,10,876/- was prepared in favour of the petitioner on 30.08.2018.

4. Learned counsel for the petitioner submitted that though he had gone to the office on 31.08.2018 but did not collect the cheque as it was not of the full amount.

5. The Court does not appreciate the conduct of the petitioner.

6. Whatever amount was being given, he was required to take it and he could not have taken the stand that unless the exact correct amount, according to him, was paid, he would not receive it. Thus, the Court for such act, in its current jurisdiction which is discretionary and prerogative, does not propose to keep the writ petition pending as whatever was admitted on behalf of the University, either the same has been paid or cheque for the same is ready to be received by the petitioner.

7. Accordingly, the writ petition disposed off with the observation that the petitioner may go and collect the cheque from



the authorities concerned and with regard to the dispute, he shall be at liberty to represent before the Registrar of the University. However, if, according to the University itself, anything further is required to be paid to the petitioner under Group Insurance, the same shall be paid within four weeks from the date of production of a copy of this order before respondent no. 3.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
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