

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14406 of 2018

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Dr. Balram Bhagat son of Late Sri Krishna Bhagat resident of Binodpur, P.S. - Katihar, District Katihar, a superannuated employee as Associate Professor in the subject of Zoology from Darshan Sah College, Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Vice Chancellor, B.N. Mandal University, Lalu Nagar, Madhepura.
4. The Registrar, B.N. Mandal University, Lalu Nagar, Madhepura.
5. The Finance Officer, B.N. Mandal University, Lalu Nagar, Madhepura.
6. The Vice Chancellor, L.N. Mithila University, Darbhanga.
7. The Registrar, L.N. Mithila University, Darbhanga.
8. The Finance Officer, L.N. Mithila University, Darbhanga.
9. The Principal Darshan Sah College, Katihar, a constituent Unit of B.N. Mandal University, Lalu Nagar, Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Virendra Prasad, Advocate
For the State : Smt. Binita Singh, SC-28
For L.N.M.U. : Mr. Md. Nadim Seraj, Advocate
For B.N.M.U. : Mr. Ritesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 29-08-2018

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

Mandal University and L.N. Mithila University.

2. Counter affidavit has been filed on behalf of the

B.N. Manal University and L.N. Mithila University.

3. In view of the materials on record, it appears that all admitted dues of the petitioner have been paid except for G.I.C, pension arrears, D.D.A. and difference of arrears of salary which is to be paid by the B.N. Mandal University and according to its affidavit, the same is undertaken to be paid within one month.



4. In view of the aforesaid, the writ petition stands disposed off with a direction to B.N. Mandal University to ensure that as per its statement made in paragraph- 7 of the counter affidavit, which is reproduced herein below :-

“ 7. That it is further stated and submitted that the G.I.C., pension arrear for the period October 2013 to September 2014, D.D.A. & Difference of arrears of salary for the period 01.01.1996 to 31.12.2005 will be calculated and paid to the petitioner within a further period of one month.”

such dues be paid to the petitioner within four weeks from the date of production of a copy of this order before the Registrar of the University.

5. Further, in view of the gratuity having been paid to the petitioner after three years of his superannuation, for no valid reason, interest at the rate of 6% is awarded to the petitioner on such delayed payment of gratuity from the date of his superannuation till the date the payments were made to him. The same be also paid to him within four weeks from the date of production of a copy of this order before the Registrar of B.N. Mandal University.

(Ahsanuddin Amanullah, J)

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