

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1872 of 2019

Upendra Prasad Singh, aged about 68 years (Male), son of late Birendra Kishore Narayan Singh, resident of Vishwanath Nagar Road No. 4, P.S. Begusarai, district Begusarai, retired as Associate Professor in Cooperative College, Begusarai, now known as S.B.S.S. College, Begusarai
... Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Vice Chancellor, Lalit Narayan Mithila University, Darbhanga
4. The Registrar, Lalit Narayan Mithila University, Darbhanga
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga
6. The Principal, Co-operative College, Begusarai, now known as S.B.S.S. College, Begusarai
... Respondents

Appearance :

For the Petitioner	:	Mr. Shashi Bhushan Singh, Adv.
For the State	:	Mr. Mukund Mohan Jha, AC to GP XXVII
For the University	:	Mr. Binita Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioner, learned counsel for the State as well as the learned counsel appearing on behalf of the Lalit Narayan Mithila University, Darbhanga (hereinafter referred to as, 'the University').

The petitioner retired from the service on 31.07.2015 and he prays for the unpaid retiral benefits, which are as follows :

“(a) Amount of Earned Leave of 300 days with interest like other employees.

(b) Rest Rs.36,000/- of gratuity and interest upon the total amount of gratuity, like other employees. It is made clear that Rs.9,64,000/- has been paid in the



year 2017.

(c) Amount of Group Insurance @ 12.5% compound interest till the date of payment, like other employees in view of judgment reported in 2006 Vol-V P.L.J.R., page 369.

(d) Amount on D.D.A. @ 9% compound interest till the date of payment, like other employees in view of judgment, reported in 2006 Vol-V P.L.J.R., page 369.

(e) Interest on account of delayed payment.

(f) Medical Allowances at par with State Govt. employees.

(g) Any other admissible dues.”

He submits that although certain employees who retired from the University after the petitioner have been paid all the retiral dues, but, still petitioner is being discriminated.

Considering the nature of the claim, made by the petitioner, the petitioner is directed to file a representation, which will be disposed of by the Registrar, Lalit Narayan Mithila University, Darbhanga, respondent no. 4, within a period of three months from the date of filing of the representation taking into account the order, dated 31.08.2015, passed in C.W.J.C. No. 11219 of 2011 (Dr. Shyam Sunder Acharia Vrs. the State of Bihar



& Ors.) as contained in Annexure 1 to the writ application and the order, dated 24.01.2018, passed in C.W.J.C. No. 8700 of 2017 (Dr. Moti Lal Yadav Vrs. the State of Bihar & Ors.), as contained in Annexure 3 to the writ application. Any amount due to the petitioner will be paid within one month thereafter, along with the admissible interest. If certain amounts are inadmissible, the same shall be communicated to the petitioner by speaking order through registered post.

The writ application is **disposed of**, accordingly.

(Nilu Agrawal, J)

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