

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1321 of 2019

Shankar Mahto, aged about 69 years, Gender-(Male), S/O Late Mangal Mahto Resident of Mishra Tola , Bishanupur, Ward No. 39, P.S.-Bishanpur, District-Begusarai, Retired as Peon in S.K Mahila College, Begusarai

... .. Petitioner/s

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 Director, Higher Education Govt. of Bihar, Patna
4. The Vice Chancellor, L.N. Mithila University, Darbhanga
5. The Registrar, Lalit Narayan Mithila University, Darbhanga
6. The Finance Officer, Lalit Narayan Mithila University, Darbhanga
7. The Principal, S.K Mahila College, Begusarai, District-Begusarai

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mr. Madhaw Pd. Yadaw, GP-23
		Mr. Rajesh Kumar Sinha, AC to GP-23
For the LNMU	:	Mr. Md. Nadim Seraj, Advocate

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioner, learned counsel for the State as well as the learned counsel for the Registrar, Lalit Narayan Mithila University, Darbhanga (hereinafter referred to as 'the University').

The petitioner in the present writ application has prayed for fixing of his full pension taking into account the initial date of appointment, i.e., 15.01.1979 till date of retirement, i.e., 31.12.2011. Petitioner submits that a Single Bench of this Court in the case of Nawal Kishore Sharma &



Anr. vs. State of Bihar & Ors since reported in 2017(3) PLJR page-38 has held that full pension has to be allowed to the employees who retired on or after 01.04.2007 to 23.09.2009 who have completed 20 years of service. Petitioner submits that he has completed 30 years of service and applying the ratio of the order passed by the learned single Judge, he has entitled to full pension. He further submits that the matter has been considered by the Syndicate and by the University and the petitioner along with others have been allowed regularization of the service with effect from the initial date of appointment for grant of pensionary benefits dated 14.05.2017 as contended in Annexure-1 of the writ application.

In this regard, a representation vide Annexure-6 dated 08.12.2018 has also been filed on behalf of the petitioner before the respondent no.5, the Registrar of the University.

Considering the claim made by the petitioner, the petitioner is granted liberty to prefer a fresh representation before the respondent no.5, the Registrar of the Lalit Narayan Mithila University with all the facts which will be disposed of by the respondent no.5 within a period of three months from the date of filing of such representation.

Any amount due to the petitioner would be paid



within two months thereafter. If certain amounts are in
admissible, the same shall be communicated to the petitioner by
speaking order through registered post.

(Nilu Agrawal, J)

B.Kr./-

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