

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.869 of 2019

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Dr. Bina Rani Tiwary, Wife of Sri Amar Krishna Pandey, resident of Mohalla-
Chandi Prasad Lane, Jogsar, Police Station- Kotwali, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through, the Principal Secretary, Human Resources Development Department, Bihar, Patna.
2. The Director, Department of (Higher) Education, Human Resources Development Department, Bihar, Patna.
3. The Vice Chancellor, Tilkamanjhi Bhagalpur University, Bhagalpur.
4. The Registrar, Tilkamanjhi Bhagalpur University, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar
For the Respondent/s : Mr. Madhaw Pd. Yadaw

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-08-2019 Present writ application involves the issue of payment of arrears of salary admissible on account of pay revision pursuant to implementation of UGC package and recommendation of the UGC, the pay of the University teachers was revised and HRA, DA and Medical allowances was paid to the University teachers but unfortunately the actual monetary benefit of such pay revision in the nature of HRA, DA and Medical Allowances was not extended to the teachers which led filing of series of writ applications.

The Court on consideration of the entitlement directed the respondent University as well as State to work out mechanism to ensure payment of arrears of DA, HRA and



Medical allowances.

In the present writ application, the grievance of the petitioner is payment of difference of salary on account of pay revision which admits payment of DA, HRA and Medical Allowances. The petitioner was denied payment of DA, HRA and Medical Allowances from 1.1.2006 to 31.3.2010.

The petitioner has now superannuated without getting benefit of HRA, DA and Medical Allowances.

Considering the aforesaid, the writ petition is disposed of with a direction to the University to calculate the entitlement of the petitioner for payment of arrears of difference of salary and also ensure payment of HRA, DA and Medical Allowances pursuant to UGC package at the earliest preferably within a period of sixty days from the date of receipt/production of a copy of this order.

In the event, fund available with the University is not adequate to meet the expenses for payment of difference of arrears of revised pay scale to the petitioner, the University may raise demand for allocation of additional fund which shall be considered by the State Government and State Government is directed to release additional fund provided the University encloses utilization certificate of the previous grant alongwith



request of additional allotment of fund.

The State Government is required to release the additional fund to the University so that the arrears of difference of salary with allowances etc. is paid to the petitioner within a further maximum period of 90 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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