

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.9879 of 2019**

Prof. Ashoka Kumar Jha Son of late Mahendra Narayan Jha, at Present,  
Resident of Village- Rajpur, P.S. Belhar, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education Department, Government of Bihar, Patna.
2. The Director (Higher Education), Government of Bihar, Patna.
3. The Director, Rural Institute of Higher Studies at Birauli, P.S. Pusa, District- Samastipur having its registered office at Birauli, Samastipur.
4. The Accountant General, Veer Chandra Patel Marg, Bihar, Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner   | : | Mr.Kripa Nand Jha, Adv.      |
| For the State        | : | Smt. Binita Singh, SC XXVIII |
| For Respondent no. 3 | : | Mr. Sahi Bhushan Singh, Adv. |
| For the AG           | : | Mrs. Nivedita Nirvikar, Adv. |

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2 19-06-2019

Heard the parties.

The petitioner has claimed the following reliefs :

(i) For issuance of an appropriate direction, order or writ in the nature of mandamus commanding the respondents to pay arrears and current pension and gratuity to the petitioner with effect from 01.07.2012, i.e., from date of his retirement from the post of Lecturer in the Rural Institute of Higher Studies at Birauli, Samastipur.

(ii) For holding and declaring that the petitioner is entitled to get the pension and gratuity after retirement from his post keeping in view that the other employees of the institute have been allowed pension and gratuity, which has



also been approved by this Hon'ble Court and affirmed upon to the Hon'ble Apex Court.

(iii) For any other relief or reliefs to which the petitioner may be found entitled to in the facts and circumstances of this case.

He submits that similar relief has been granted to other similarly situated persons by this Court in C.W.J.C. No. 9145 of 2019, dated 06.05.2019, wherein with special reference to the order passed in L.P.A. No. 8 of 2015 and other analogous cases, dated 04.02.2019, the writ application (C.W.J.C. No. 9145 of 2019) has been allowed.

Considering the claim of the petitioner, the present writ application is **allowed** in terms of the order, dated 06.05.2019, passed in C.W.J.C. No. 9145 of 2019 in the case of Avinash Sharma Vrs. the State of Bihar & Ors., with a direction to the respondent authorities to release the terminal benefits to the petitioner found admissible along with admissible interest within a period of three months, from the date of receipt/production of a copy of this order.

(Nilu Agrawal, J)

Shamshad/-

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