

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12893 of 2018**

Dr. Arun Kumar Sinha Son of late Sharda Nand Prasad, Resident of Mohalla-Boring Road, Montessori School Lane, P.O. and P.S. Boring Road, District-Patna-1.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Commissioner-cum-Secretary, Department of Human Resources, Govt. of Bihar, Patna
2. The B.R.A. Bihar University, through its Registrar.
3. The Vice Chancellor, BRA Bihar University, Muzaffarpur.
4. The Jai Prakash University, Charpa through its Registrar.
5. The Vice Chancellor, Jai Prakash University Chapra.
6. The Head of the Botany Department , J.P. University, Chapra.

... .. Respondent/s

**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr.Shashi Shekhar Tiwary           |
| For the State        | : | Dr. Rajeev Ranjan, A.C. to G.P.-20 |
| For the J.P.U.       | : | Mr. Nagendra Kumar Singh           |
| For the B.R.A.B.U.   | : | Mr. Arbind Nath Pandey             |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

5      13-11-2019                      The petitioner has filed a supplementary affidavit and has set out his subsisting grievances in paragraph nos. 3 to 6 of the same, which are reproduced herein below:-

*“3. That at the very outset it would be relevant to state here that after filing of the case in hand only payment of Earned Leave amount and Gratuity (less by Rs. 43,590/-) has been paid and not the Group Insurance amount as has been stated in the Paragraph 6(B) of the affidavit under reply as it is also evident from the Bank statement under which the petitioner’s pension stood transferred.*

*4. That, it would be relevant to state here that why the*



*gratuity amount which is less by Rs. 43,590/-, no reason has been assigned at all but the official sources go to intimate that the said recovered amount might be against the Examination Advance of year 2014 extended for conducting Practical Examination of Semester-I & III in the year 2014 whereas fact is that the Utilization to Certificate/report to that has already been submitted before the answering respondents on 23.08.2016 as question of recovery from the gratuity i.e. double deduction could not be made out if the same has been made the wrong (sic) by said deduction must be rectified by refund of the same forthwith.*

*5. That it would be relevant to state here that apart from said discrepancy no payment has been made towards differential arrear of pay and allowances for the period 1.10.80 to September 1992 and further for the period 2001 to 2005.*

*6. That it would be relevant to state here that apart from said development in view of the Prof. Surendra Bahadur case D.D.A. is also payable (but not paid) with the up to date statutory request till the date of final payment.”*

Having regard to the aforesaid limited subsisting grievance of the petitioner, I deem it fit and proper to relegate the petitioner to the remedy of filing an appropriate representation regarding the aforesaid grievances before the Registrar, Jai Prakash University, Chapra, i.e. the respondent no. 4 within a period of four weeks from today, which shall be



considered by the respondent no. 4 and appropriate reasoned order, in accordance with law, shall be passed within a period of six weeks thereafter, and in case it is found that further benefits are payable to the petitioner herein, the same would be paid within a period of six weeks therefrom.

The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

S.Sb/-

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