

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14971 of 2019

Dr. Surendra Jha Son of late Kameshwar Jha, Resident of Manas Nagar, Ward No. 32, Hatia Gachi, P.S. Saharsa, P.O. Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The B.N. Mandal University, Madhepura , through its Registrar.
4. The Vice Chancellor, B.N Mandal University, Madhepura.
5. The Registrar, B.N. Mandal University.
6. The Finance Officer, B.N. Mandal University, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav
For the Respondent/s : Mr. Kameshwar Kumar (Gp17)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 25-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is aggrieved by non payment of difference of salary for the period indicated in para 11 of the petition, for ready reference in para-11 is quoted herein below:

“That the arrears of salary due to difference in pay, the arrear of the difference in pension and the GIC which has not been paid to the petitioner is as follows:-

1.	Arrear of Salary from April 1997 to March 2017	Rs. 6,47,294/-
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2.	Arrear of Salary from April 2017 to January 2019 due to 7 th Pay Revision	Rs. 2,15,550/-
3.	GIC	Rs. 1,90,450/-
4.	Arrear of Pension	Rs. 48,000/-
	Total	Rs. 11,01,294/-

Mr. Vivekanand Prasad Singh, learned counsel appearing on behalf of University submits that the entitlement of the petitioner is not disputed by the University but payment has not been made due to non availability of fund with the University. He submits that if the funds are made available by the State Government, the University may have no difficulty in making payment of the dues indicated in Para-11 of the petition.

Learned counsel appearing on behalf of State submits that the State is ready to release fund provided the respondents University furnishes the utilization certificate of the previous fund allocated to the University.

Considering the aforesaid, the writ petition is disposed of with a direction to the respondent University to raise demand for allocation of fund enclosing the copy of utilization of the previous allotment and on receipt thereof, the State Government shall provide additional fund to the University so that the arrears of the petitioner and others alike is paid.

Necessary decision in this regard must be taken at the



level of the University within a maximum period of 30 days from the date of receipt/production of a copy of this order and thereafter the State Government will verify the demand and allocate the additional fund to the University within a further period of two months and thereafter, the University on receipt of the funds shall ensure payment to the petitioner within a further period of one month.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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