

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17941 of 2019**

Prof. Shayama Kant Jha, Son of Late Dhananjay Jha @ Late Dhrnjay Jha,  
Resident of Village- Koili, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Education Department, Govt. of Bihar, Patna.
2. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Principal, Kalidas Vidyapati Science College, Uchhaith, Bennipatti, District- Madhubani.

... .. Respondent/s

**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Manoj Kumar Jha, Advocate      |
| For the Respondent/s | : | Mr. Ashutosh Ranjan Pandey (AAG-5) |
| For the University   | : | Mr. Md. Naeim Seraj, Advocate      |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      03-09-2019                      Grievance of the petitioner in the present writ application is non payment of difference of dearness allowance, house rent and medical allowances for the period January, 2006 to March, 2010.

The pay scale of the petitioner was revised on account of UGC pay package. Notwithstanding the UGC pay scale was adopted in the State of Bihar, Payment was not made on the basis of revised pay scale but on the basis of unrevised pay scale and as such the petitioner has to approach this Court for a direction to the respondent to make payment of the difference of



allowances which was admissible in terms of 2006 pay revision.

Without going to the controversy of the calculation, the writ petition is disposed of with a direction to the University as well as State to work out entitlement of the petitioner for grant of difference of arrears for the period January, 2006 to March 2010 and ensure payment thereof within a period of three months from the date of receipt/production of a copy of this order.

The University is expected to first determine the entitlement of the petitioner for payment of the arrears and thereafter, raise demand from the State Government for allotment if the available funds are not adequate to pay the arrears and the State Government is under obligation to provide additional fund to the University so that the University may clear the dues of the petitioner in terms of UGC pay revision.

Necessary decision in this regard may be taken by the respondents within the time indicated herein above.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

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