

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18240 of 2019

Dr. Sitaram Singh, S/o Late Maniram Singh, resident of - Lohiya Nagar,
Baghi, Suhird Nagar, District- Begusarai retired as University Professor in the
Subject of Hindi, Co-operative College, Begusarai. ... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Higher Education, Govt. of Bihar, New Secretariat, Patna.
4. The Vice-Chancellor, L.N. Mithila University, Darbhanga.
5. The Registrar, L.N. Mithila University, Darbhanga.
6. The Finance Officer, L.N. Mithila University, Darbhanga.
7. The Principal, Co-operative College, Begusarai.

... ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha (Gp27)
For the University	:	Mr. Nadim Seraj, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-09-2019 Heard learned counsel for the petitioner and the respondents.

Learned counsel for the petitioner submits that the petitioner superannuated on 31.07.2013.

The University calculated and granted the admitted dues, but in the process the University has not considered the interest on arrears of salary for the period 01.06.1991 to 31.07.2013.

Mr. Singh submits that the University has paid interest at the rate of 12.5% on the GIC and 9% on the dearness allowance to similarly circumstanced persons. He also submits



that for the period 01.06.1991 to 31.07.2013, the respondents have considered the difference of arrears and granted such benefit to other similarly circumstanced.

The University and the State are obliged to follow the uniformity in the decision making process. The University cannot adopt pick and choose and discriminate the petitioner in the matter of grant of arrears of salary or payment of interest on the GIC and dearness allowance.

If others have been paid interest on dues and difference of arrears, then there is no reason to deny such benefits to the petitioner. If the benefits have been wrongly granted to others by the University, then the University is under obligation to take corrective measures after opportunity of hearing to the concerned, otherwise the University is required to adopt the same yardstick in the matter of grant of such benefits to this petitioner also.

Necessary corrective measures in this regard may be taken by the University at the earliest preferably within a period of three months 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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