

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19279 of 2019

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1. Dr. Sunita Mishra daughter of Late Gangadhar Jha resident of Mohalla- G.M. Road, Ward No. 12, P.O.- Lalbagh, Police Station- L.N.M.U. Campus, District- Darbhanga.
 2. Dr. Shahnaz Jamil daughter of Syed Mohammad Jamil resident of Mohalla- G.N. Ganj, P.O. and P.S. Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. L.N. Mithila University, through its Registrar, Kameshwarnagar, Darbhanga.
3. The Vice Chancellor, L.N. Mithila University, Kameshwarnagar, Darbhanga.
4. The Registrar, L.N. Mithila University, Kameshwarnagar, Darbhanga.
5. The Finance Officer, L.N. Mithila University, Kameshwarnagar, Darbhanga.
6. The Principal, M.L.S.M. College, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Gyanand Roy
For the Respondent/s	:	Mr.Prabhakar Jha (Gp27)
		Mr. Shankar Kr. Thakur, GP-27
For the University	:	Mr. Md. Nadim Seraj

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Earlier the petitioners have approached in C.W.J.C.
No. 19750 of 2016 and the writ petition was disposed of with a
direction to the respondents vide order dated 19.3.2018 .

Mr. Gyanand Roy, learned counsel appearing on
behalf of the petitioners would submit that pursuant to the order
of this Court dated 19.3.2019 arrears have been paid except



difference of arrears on HRA and DA.

Mr. Nadim Seraj, learned counsel appearing on behalf of the University would submit that University is not opposed to payment of HRA and DA to these petitioners but the difficulty of the University is lack of adequate fund. He submits that University has already requested the State Government for release of additional fund so that petitioners are paid HRA and DA.

Considering the aforesaid, the writ petition is disposed of with a direction to the State Government to provide additional fund to the University on submission of utilization certificate of the previous allotment of fund within a period of one month and thereafter, University shall ensure payment of HRA and DA to these petitioners.

So far as grievance of the petitioners as to the delayed payment and non payment of interest in terms of order dated 19.3.2018, the Court is of the view that the situation occasioned on account of non release of additional fund by the State Government and there is no deliberate lapse on the part of the University. However, the Court directs the respondent University to ensure payment of difference of HRA and DA to these petitioners at the earliest preferably within a period of 15



days from the date of receipt of the fund from the State Government.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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