

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17440 of 2018

Mostt. Satyabhama Devi W/o Late Narendra Kumar, R/o Moh- Urdu Bazar,
Jabarchak Lane, P.O.- Naya Bazar, P.S.- Tatarur, District- Bhagalpur
... Petitioner

Versus

1. Tilka Manjhi Bhagalpur University
2. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur
3. The Financial Advisor, Tilka Manjhi, Bhagalpur University, Bhagalpur
4. The Principal, B.N. College, Bhagalpur
5. The State of Bihar through Principal Secretary, Education Department,
Government of Bihar, New Secretariat, Patna
6. The Secretary, Education Department, Government of Bihar, Patna
7. The Director, Department of Higher Education, Government of Bihar, Patna
8. The Incharge, State Government Auditors Team deputed at T.M., Bhagalpur
University, Bhagalpur

... Respondents

Appearance :

For the Petitioner	:	Mr. Anwar Karim, Adv.
For the State	:	Mr. Rakesh Narayan Singh, AC to AAG XV
For the University	:	Mr. Anand Kumar Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 11-04-2019 Heard the learned counsel for the petitioner, the

learned counsel appearing for the State and the learned counsel
appearing for Tilka Manjhi Bhagalpur University (hereinafter
referred to as, ‘the University’).

The petitioner, being the widow of late Narendra
Kumar, who was working as Laboratory Assistant in B.N.
College under Tilka Manjhi Bhagalpur University, Bhagalpur,
died in harness on 03.08.2013. The petitioner, in the present
writ application, has stated that similarly situated employees,
namely, Niranjana Kumar and Bucheshwar Mandal as well as



other employees, have been granted retiral benefits, including pension, but, the petitioner has been discriminated. By the earlier order passed in the present case, dated 30.10.2018, the State authorities and the Vice Chancellor of the University was directed to carry out the exercise whether the petitioner's husband was similarly situated as Niranjana Kumar and Bucheshwar Mandal and pass a reasoned order, which would be brought on record.

Learned counsel for the petitioner, in the rejoinder to the counter affidavit filed on behalf of the University, has annexed the reasoned order passed by the Vice Chancellor, which is dated 01.12.2018 at Annexure 4 to the counter affidavit filed on behalf of the University, whereby a decision has been taken that the petitioner is entitled to be paid all pre and post retiral benefits of her husband, late Narendra Kumar.

Learned counsel for the petitioner submits that in spite of the order, dated 01.12.2018, as contained in Annexure 4 to the counter affidavit filed on behalf of respondents 1 to 3, no payment has yet been received by her.

Petitioner in the rejoinder at paragraph 7 has given the details of payment not received under different head towards post retiral benefits.



Considering the fact that now the petitioner is entitled to pre and post retiral benefits of her husband, late Narendra Kumar, let the petitioner file a detailed representation before the respondent no. 2, the Registrar of the Tilka Manjhi Bhagalpur University, Bhagalpur, with all claims she is entitled to, which will be disposed of by a speaking order within a period of three months from the date of filing of such representation. Any amount due to the petitioner would be paid within two months, thereafter. If certain amounts are inadmissible, the shall be communicated by a speaking order to the petitioner by registered post.

The writ application stands **disposed off**, accordingly.

(Nilu Agrawal, J)

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