

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2955 of 2020

Syed Mohammad Fahimuddin Ashraf Son of Late Md. Naimuddin Resident of Mohalla- Saharsa Basti, Ward No.31, Saharsa, P.S. and District- Saharsa, Retired as Laboratory Incharge, Department of Botany, M.L.T., Saharsa College, Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resource Development, Government of Bihar, Patna.
2. The B.N. Mandal University, Madhepura through its Registrar.
3. The Vice Chancellor, B.N. Mandal University, Madhepura.
4. The Registrar, B.N. Mandal University, Madhepura.
5. The Finance Officer, B.N. Mandal University, Madhepura.
6. The Principal, M.L.T., Saharsa College, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra
For the Respondent/s	:	Mr.Prabhakar Jha (Gp27)
		Mr. Mukund Mohan Jha, A.C. to G.P. 27
For the University	:	Mr. Shashi Bhushan Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard the parties.

Following relief has been sought for in paragraph 1 of the present application:

“1. That the petitioner above-named craves for indulgence of this Hon’ble Court by way of issuance of any appropriate



order/orders, direction/directions or writ/writs preferably in the nature of Mandamus commanding and directing the respondents concerned to pay the petitioner pension along with all his admissible post retiral benefits alongwith due arrears of salary etc. as the poor old petitioner retired from the service of Respondent University while serving as Laboratory Incharge, Department of Botany, M.L.T. College, Saharsa on 31.01.2013, but till date he has not been paid any of his post retiral benefits including pension as well as arrears of salary for the period between 04.06.1996 till his retirement save and except an amount of Rs. 5,00,000/- (Five Lakh) as advance for treatment of his wife, whereas demand of a total amount of Rs. 25,29,730/- (Twenty five lakh twenty nine thousand seven hundred thirty only) is kept pending before the Government of Bihar, but the petitioner is not being paid the same on very frivolous ground due to which the poor old petitioner is at the verge of hand to mouth along with his family. And/or for any other order/orders for granting any other relief or reliefs for which the petitioner is entitled to in the facts and circumstances of this case.”

Learned counsel for the petitioner submits that part of the grievance has already been redressed by the University. Learned counsel for the petitioner seeks liberty to file a representation before the concerned authority for the redressal of the remaining grievance, if any.

Learned counsel for the respondents have no



objection on the submissions advanced on behalf of the petitioner.

The petitioner is directed to file a representation before the concerned authority for the remaining grievance.

In case, any such representation is filed before the concerned authority, the concerned authority shall consider the representation of the petitioner and pass an appropriate order in accordance with law, within a period of four months from the date of filing/making of such representation. The concerned authority shall be under obligation to make payment of admitted dues, if any, of the petitioner within a period of two months from the date of disposal of the representation.

With the aforesaid observation/direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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