

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2237 of 2020

Binod Kumar Dwivedi Son of Late Tarak Nath Dwivedi, Resident of Village-Sahit, P.O.-Vidhyapatinagar, Police Station-VBidyapatinagar, District-Samastipur, at Present Mohalla-Chaklokman near Kalichowk Dalsingsarai, Police Station-Dalsingsarai, District-Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through Commissioner-Cum-Secretary Human Resources Department (Higher Education) Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga through its Registrar.
4. The Vice-Chandellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Principal, R.B. College, Dalsingsarai, Samastipur.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar, Adv.
For the State	:	Mr.Jitendra Kumar Roy1 (SC13)
For the University	:	Mr. Ajay Bihari Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 28-09-2020

Heard Mr. Ranjan Kumar, learned counsel for the petitioner,
Mr. Jitendra Kumar Roy, learned counsel for the State and Mr. Ajay Behari Sinha, learned counsel for the Lalit Narayan Mithila University..

2. The petitioner seeks the following reliefs in the present writ petition :-

- i. For a direction to the Respondents to pay to the petitioner the amount of revised gratuity in basic pay Rs.36,690/- (Grade Pay Rs.7600/-) on account of A.C.P./M.A.C.P. Scale Rs.15,600-39,100/-.



- ii. For a direction to the respondents to pay to the petitioner the amount of underutilized leave encashment 32 days and 268 days in basic pay Rs.36,960/- (Grade Pay Rs.7,600/-) on account of A.C.P./M.A.C.P. Scale.
- iii. For a direction to the Respondents to pay to the petitioner the amount of Part G.I. with 12.5% compound interest.
- iv. For a direction to the Respondents to pay to the petitioner the amount of arrear of pension from July, 2013 to February 2018 on basic pay Rs.36,960/- (Grade Pay Rs.7,600/-) on account of A.C.P./M.A.C.P. Scale Rs.15,600-39,100/-.
- v. For a direction to the Respondents to pay to the petitioner the amount of D.D.A with 9% interest from 1982 to 1989 in accordance with law.
- vi. For a direction to the respondents to pay to the petitioner the amount of Difference of Arrear of salary from March, 1989 to June, 2013 on account of A.C.P./M.A.C.P. Scale.
- vii. For a direction to the respondents to pay to the petitioner the amount of interest of gratuity and pension by the Government circular bearing No. P-C-21-16179/3155 dated 07.11.1981 any pay penal interest upon entitle dues from the dates they became due till the dates of their respective payment.
- Viii. Any other relief(s) to which the petitioner be deemed entitled.”

3. At the outset, Mr. Ajay Behari Sinha, learned counsel for the Lalit Narayan Mithila University submitted that the writ petition may be disposed of with a direction to the petitioner to file a representation before the Registrar, Lalit Narayan Mithila University and in case of filing of such a representation, the Registrar of the University shall look into the matter and dispose of the same within a reasonable time



4. Learned counsel for the petitioner does not oppose the proposal made by the learned counsel for the University.
5. With the consent of the parties, the writ petition is disposed of with a direction to the petitioner to file a representation raising all his claim before the Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga (Respondent No.3) within one month from today.
6. In case of filing of such representation, the respondent no.3 shall be required to look into the grievances of the petitioner and dispose of the same by a reasoned and speaking order within six weeks from the date of its filing.
7. In case, the claim/claims of the petitioner are found admissible, necessary payments should be made to the petitioner within three months from the date of filing of the representation.
8. In case the claim/claims of the petitioner are rejected, he shall be required to transmit a copy of the order on the address of the petitioner through speed-post/registered post immediately.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	

