

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15423 of 2017

Dr. Manju Sinha w/o Sri Mithilesh Kumar Sinha, Resident of Flat No. 19
Vijay Nagar, Post- Bahadurpur, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner

Versus

1. The Magadh University Through Its Vice Chancellor.
2. The Vice Chancellor, Magadh University, Bodhgaya, Gaya.
3. The Registrar, Magadh University, Bodhgaya, Gaya.

... .. Respondents

Appearance :

For the Petitioner	:	Mr.Manisha Singh, Advocate
For the Respondents	:	Mr.Rajendra Kumar Giri, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 18-02-2020

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

After working for about 28 years, the petitioner superannuated on 31.05.2010 from Ganga Devi Mahila College, Patna.

The case of the petitioner was recommended for promotion to the post of Reader in the year 2009 by the Selection Committee of the University when she was in service. Due to lapses on the part of the respondents, no final decision for promotion has been taken. In 2011 after superannuation the petitioner was granted promotion to the post of Reader but the consequential monetary benefits have been denied to her and as



a result thereof, not only the petitioner was deprived of the benefits in the nature of arrears of salary of the promotional post of Reader but that has also affected her post retiral benefits. Promotion of the petitioner is not only an empty formality but she is also required to be really promoted with all consequential monetary benefits attached to such promotion.

From Annexure-P/1 it appears that the petitioner was granted promotion with effect from 10.12.1990 and the petitioner superannuated on 31.05.2010 i.e. after 20 years of the effective date of promotion. Denying the consequential monetary benefits of such promotion to the petitioner is arbitrary and amounts to deprivation of the legitimate dues.

In view of the notification dated 22.11.2011, the writ application is disposed of with a direction to the respondents to grant all consequential monetary benefits of promotion as Reader which includes not only the arrears of salary and fixation of post retiral dues but also for consideration of her case for further promotion to the higher post if the petitioner has acquired eligibility for grant of such promotion on the basis of Annexure-P/1 as the petitioner superannuated on 31.05.2010. Necessary corrective measures shall be taken by the respondents within a period of four months from the date of receipt/



production of a copy of this judgment.

With the aforesaid, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.02.2020
Transmission Date	N.A.

