

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19390 of 2017

Bindrawati Devi, W/o Late Durgesh Mishra, Resident of -Q No. 38 Janta Flat,
Barari, Town and District-Bhagalpur.

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University, Bhagalpur, Through Its Registrar
2. The Vice-Chancellor, T.M. Bhagalpur University, Bhagalpur.
3. The Registrar, T.M. Bhagalpur University, Bhagalpur
4. The Finance Officer, T.M. Bhagalpur University, Bhagalpur.
5. The University Auditor, T.M. Bhagalpur University, Bhagalpur.
6. The Principal Sunderwati Mahila Mahavidyalaya, T.M. Bhagalpur University, Bhagalpur.
7. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, P
8. The Director, Higher education, Govt. of Bihar, Patna.
9. The State Govt. Auditor, Deployed in T.M. Bhagalpur University, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Advocate
For the Respondent/s : Mr. Kameshwar Kumar- GP17

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State and the University.

The petitioner has approached this Court for a direction to the Respondent University to grant ACP which was due to the late husband of the petitioner. Husband of the petitioner retired on 31st March, 2004 but he was not granted the benefit of ACP.

Learned counsel for the petitioner submits that after the judgment of the Apex Court in Sunny Prakash Vs. State of



Bihar reported in (2013) 3 SCC 559, the respondents are under obligation to grant the benefit to the employees of the colleges and as such petitioner's husband was entitled to benefit of grant of ACP.

Considering the fact that the widow is before this Court with a grievance that her husband was not paid the benefit of ACP, the writ petition is disposed of with the direction to the University to workout the entitlement of the husband of the petitioner in the light of the judgment of the Apex Court in Sunny Prakash Vs. State of Bihar reported in (2013) 3 SCC 559, as well as the notification issued from time to time by the State of Bihar and grant all consequential monetary benefit to the petitioner, the widow of the husband, employee of Tilka Manjhi Bhagalpur University. Necessary decision in this regard must be taken by the University within a maximum period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Rishi Kumar/-

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