

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4666 of 2019

Dr. Amrit Nath Jha, S/o Late Sita Nath Jha, Resident of Village- Sarb Sima,
P.O.- Naruar, P.S.- Bhairab Asthan, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Higher Education, Government of Bihar, Patna
2. The Director, Department of Higher Education, Government of Bihar, Patna
3. The Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Adv.
For the Respondent/s : Mr.Madhaw Prasad Yadav (GP23)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

15 05-10-2020 Heard Mr. Gajendra Kumar Jha, learned counsel for the petitioner and Mr. Madhaw Prasad Yadav, learned G.P.23 through video conferencing.

The petitioner seeks direction to the respondents to resume the payment of pension of the petitioner which has abruptly been stopped from the month of August, 2018.

The petitioner was appointed as Lecturer of Sahitya on 02.02.1978 at Nandan Sanskrit College, Isahpur, Madhubani and he superannuated on 30.11.2014 from Kalyani Mithila Sanskrit College, Deep, Madhubani. After superannuation, the



pension of the petitioner was being paid w.e.f. 01.12.2014 vide P.P.O. No.497 of 2016 but thereafter suddenly the payment of monthly pension has been stopped.

Learned counsel for the petitioner submits that in the case of Manidhar Mishra by the order of this Court, the pension of Manidhar Mishra was resumed vide order dated 14.11.2019 on the basis of the letter dated 13.11.2019 of Director, Higher Education, Bihar, Patna to the Vice-Chancellor, Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga by which Director, Higher Education directed the Vice-Chancellor to resume the pension and ultimately, C.W.J.C. No.10892 of 2019 was disposed of on 09.01.2020 since then pension of Manidhar Mishra was resumed. It is further submitted that pension of Shashi Nandan Jha was also resumed on the basis of the letter dated 13.11.2019 as contained in Letter No.15/C-2-377/2019-2618 and in pursuance thereof the University issued the order as contained in Memo No.1727 dated 19.11.2019. It is submitted that case of the petitioner stands on the same footing and, therefore, the pension of the petitioner be also resumed.

Mr. Madhaw Prasad Yadav, learned G.P.23 submits that respondents have filed counter-affidavit stating therein that



the petitioner and similarly other teachers, whose payment of pension was stopped, are asked to appear with the papers. It is further submitted that petitioner shall also be treated at par with other teachers such as Manidhar Mishra and Shashi Nandan Jha before taking any action.

Having considered the facts, I dispose of this writ petition with a direction to the Director, Higher Education to resume the pension of the petitioner forthwith and pay the same with the arrears within two months in view of the order of the State Government contained in Letter No.15/C-2-377/2019-2618 dated 13.11.2019 with regard to the similarly situated other teachers and may proceed further in accordance with law.

With the aforesaid direction, this writ petition stands disposed of.

(Prabhat Kumar Jha, J)

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