

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5224 of 2020**

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Rukhsana Khatoon @ Rukshana Khatun Wife of Late Abdul Aziz Manzer @  
Late Abdul Ajij Manjar Resident of Mohalla- Mahalper Bihar Sharif, P.S.-  
Bihar, District- Nalanda.

... .. Petitioner

Versus

1. The State of Bihar .
2. The Principal Secretary, Department of Education, Government of Bihar,  
Patna.
3. The Vice Chancellor, Patliputra University, Patna.
4. The Finance Officer, Patliputra University, Patna.
5. The Registrar, Patliputra University, Patna.
6. The Vice Chancellor, Magadh University, Bodh Gaya.
7. The Finance Officer, Magadh University, Bodh Gaya.
8. The Registrar, Magadh University, Bodh Gaya.
9. The Principal, Nalanda Mahila College, Bihar Sharif, Nalanda.

... .. Respondents

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**Appearance :**

|                            |   |                               |
|----------------------------|---|-------------------------------|
| For the Petitioner         | : | Mr. Anil Kumar No.1, Advocate |
| For the Respondents        | : | Mr. Madhaw Pd. Yadaw (GP23)   |
| For Patliputra University: |   | Mr. P.K. Verma, Sr. Advocate  |
|                            |   | Dr. Anand Kumar, Advocate     |
| For Magadh University :    |   | Mr. Ritesh Kumar, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL JUDGMENT**

**Date : 25-06-2020**

Heard learned counsel appearing on behalf of the  
petitioner, learned counsel appearing on behalf of the State as  
well as learned counsel for the Universities.

The instant writ petition has been filed for a direction to  
the respondents to grant pension and pay due amount of earned  
leave, group insurance, gratuity as well as the amount of arrears  
of difference of salary after calculation as per the report of 5<sup>th</sup>



and 6<sup>th</sup> Pay Revision Commission along with interest at the rate of 18% per annum.

The petitioner retired on 30.04.2019 after attaining the age of superannuation.

Learned counsel appearing on behalf of the petitioner admits that part payment of the post retiral dues has been made to the petitioner but the entire post retiral dues has not been paid.

Considering the aforesaid, the writ petition is disposed of with a direction to the authorities of the University to ensure payment of balance amount of post retiral dues. In the event the fund available with the University is not adequate, the University shall be at liberty to raise the demand from the State Government with utilization certificate and thereafter the State Government shall provide the fund for payment of post retiral dues to the petitioner. The entire exercise for payment of balance amount of post retiral dues with detailed calculation chart shall be completed within a period of four months from the date of receipt/production of a copy of this order, failing which the petitioner shall be entitled to interest at the rate of 9% per annum from the date of filing of the writ petition i.e. 05.03.2020 till the date of actual payment.



With the aforesaid observation and direction, the present writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

BT/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N.A.       |
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