

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7995 of 2019

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1. Anwar Imam Ghazal, aged about 50 years, Son of Late Dr. Md. Nehal Ahmad.
 2. Fazal Imam Farouqui, aged about 48 years, Son of Late Dr. Md. Nehal Ahmad.
 3. Ahmad Faizi, aged about 45 years, son of Late Dr. Md. Nehal Ahmad.
 4. Abdullah Kaifi, aged about 42 years, Son of Late Dr. Md. Nehal Ahmad.
 5. Ibrahim Nami, aged about 40 years, Son of Late Dr. Md. Nehal Ahmad.
All residents of Mohalla- Mewa Sao Lane (White House), Sultanganj, P.S. Sultanganj, District-Patna.
 6. Zarrin Taj, aged about 47 years, wife of Ahmad Imam, resident of New Azimabad Colony, Near Feathers Touch School, District-Patna.
 7. Farrukh Zad, aged about 38 years, wife of Abdullah Ibne Abbas, resident of Mahal Par, Biharsharif, District-Nalanda.
 8. Sahba Naz, aged about 36 years, wife of Ejaz Rabbani, resident of Neem Tal, Dargah Road, Patna-800 006.
 9. Shahla Shadab, aged about 34 years, wife of Nasrul Islam, resident of Amlatoli, Lohardaga (Jharkhand)-835302.
 10. Mahrukh Shaaz, aged about 32 years, wife of Yaqub Ashrafi, resident of Sharif Colony, Bari Path, Patna-800 004.

... .. Petitioners

Versus

1. The Magadh University through the Registrar, Bodh Gaya, Gaya.
2. The Vice Chancellor, Magadh University, Bodh Gaya, Gaya.
3. The Finance Officer, Magadh University Bodh Gaya, Gaya.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Vikas Mohan, Advocate.
For the Respondents	:	Mr. J. P. Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.



The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Re.: I.A. No. 01 of 2020:

The aforesaid Interlocutory Application has been filed for substituting the names of proposed legal heirs of sole petitioner, Late Dr. Md. Nehal Ahmad, who has died on 21.03.2019, during the pendency of the present writ application. The sole petitioner, Late Dr. Md. Nehal Ahmad, died leaving behind his five sons and five married daughters which have been mentioned in paragraph no. 3 of the aforesaid Interlocutory Application.

Considering the facts and circumstances, as stated in the Interlocutory Application, I.A. No. 01 of 2020 is allowed.

The office is directed to delete the name of sole petitioner, Late Dr. Md. Nehal Ahmad, from the writ application and substitute the names of proposed legal heirs of sole petitioner, Late Dr. Md. Nehal Ahmad, in the present writ application, as stated in paragraph no. 3 of I.A. No. 01 of 2020.

Re. : C.W.J.C. No. 7995 of 2019:

Heard learned counsel for the petitioners and learned counsel for the respondents.

The following reliefs have been sought for on behalf



of the petitioners in the present writ application.

“1.For issuance of writ in the nature of mandamus directing the respondents to furnish the detailed calculation chart of the amount adjusted against Contributory Provident Fund as the petitioner was member of Contributory Provident Fund and refund all arrears amount adjusted from the arrears pension with interest at the rate they have deducted against Employer's Contribution amounting to Rs. 5,71,971/- and also pay the interest at the same rate upon arrears of pension as they have charged the interest.

2 (a) That writ in the nature of mandamus may be issued directing the respondents to furnish the details calculation chart of the amount adjusted against Contributory Provident Fund as Employer's Contribution.

(b) That the respondents be further directed to refund all access amount adjusted from arrears of pension with interest at the same rate respondents have deducted from the petitioner's C.P.F. amount as Employer's Contribution.”

Considering the reliefs as sought for in the present writ application, the substituted proposed legal heirs of sole petitioner i.e., Late Dr. Md. Nehal Ahmad, are directed to make/file a detailed joint representation before the respondent no. 2 i.e., The Vice Chancellor, Magadh University, Bodh Gaya, Gaya, for redressal of their grievances. If any such joint representation is made/filed by the proposed legal heirs of sole petitioner i.e., Late Dr. Md. Nehal Ahmad, before the respondent no. 2 i.e., The Vice Chancellor, Magadh University,



Bodh Gaya, Gaya, the respondent no. 2 shall consider the same and pass an appropriate order, in accordance with law, within a period of four months, from the date of making/filing of such representation.

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

(Sudhir Singh, J)

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