

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7094 of 2019

Dr. (Mrs.) Mridula Singh, aged about 66 years, Gender-Female, D/o Late Basudeo Prasad Singh, W/o Sri Chandra Prakash, Resident of Mohalla Raipur, P.S. Fatwah, District Patna at present residing at 43, Prakash Kunj Apartment, Kavi Raman Path, Nageshwar Colony, East Boring Canal Road, Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Magadh University, Bodh Gaya, through the Registrar.
3. The Registrar, Magadh University, Bodh Gaya.
4. The Patliputra University, Kankarbagh, Patna, through the Registrar.
5. The Registrar, Patliputra University, Kankarbagh, Patna.
6. The Finance Officer, Patliputra University, Kankarbagh, Patna.
7. The Principal, College of Commerce, Arts and Science, Rajendra Nagar, Patna.
8. The Accountant General, Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner : Mr. Nikhil Kumar Agrawal, Advocate.
For the State : Mr. Madhaw Pd. Yadaw, G.P. 23.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 08-10-2020 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.

Heard learned counsel for the petitioner and learned



counsel for the respondents.

The following reliefs have been sought for on behalf of the petitioner in the present writ application.

- “1 (i) To issue an appropriate order/direction in the nature of *Mandamus* directing the respondents to forthwith release the pension along with arrears of pension and other post retiral benefits of the petitioner with up-to-date statutory interest who has retired on 30.04.2018 from the post of Associate Profession.
- (ii) To issue an appropriate order/direction in the nature of *Mandamus* directing the respondents to give complete accounts of the post-retiral benefits receivable by the petitioner.
- (iii) To issue an appropriate order/direction in the nature of *Mandamus* directing the respondents to pay interest to the petitioner at the rate of 12% from the date the benefits became payable till the actual date of payment.”

A 2nd supplementary counter affidavit has been filed on behalf of the respondent nos. 4 to 7 i.e., The Patliputra University, Kankarbagh, Patna. The following statements have been made in paragraph nos. 6, 7, 8 and 9.

“ 6. That in continuation to the earlier filed supplementary counter affidavit, it is humbly submitted that the pension of the petitioner has already been paid.

7. That the amount of Group Insurance has not been sent by the Magadh University to the Patliputra University despite several reminders and latest reminder has been sent vide Letter No. 1143 dated 07.03.2020.



8. That as soon as the amount is received by the Answering Respondent, the same will be paid to the petitioner.

9. That so far as the Earned Leave (E.L.) is concerned, it is humbly submitted that an amount of Rs. 8,43,607/- has been sanctioned vide Letter No. R/PPU/EST/141/19, dated 03.07.2019. It has been sent to C.F.M.S. for payment on 22.02.2020, but because of absence of payee I.D., payment could not be made by C.F.M.S. However, the process of payment has been re-started and it will be paid soon.”

Considering the statements made in paragraph nos. 6,7,8 and 9 of the 2nd supplementary counter affidavit filed on behalf of respondent nos. 4 to 7 i.e., The Patliputra University, Kankarbagh, Patna, the substantial relief of the petitioner has already been redressed. If any further relief is to be redressed by respondent i.e., The Patliputra University, Kankarbagh, Patna, the petitioner shall file/make a representation before the respondent no. 5 i.e., The Registrar, Patliputra University, Kankarbagh, Patna. If any such representation is filed/made by the petitioner, the respondent no. 5 shall consider the representation of the petitioner and pass an appropriate order, in accordance with law, within a period of four months, from the date of filing/making of such representation.

If any admitted dues of the petitioner is found, the same shall be paid to the petitioner within a period of two



months from the date of passing of final order.

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

(Sudhir Singh, J)

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