

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11154 of 2019

Hari Prasad Roy Son of Late Ramrup Roy Resident of Mohall- Dharampur
Panjabi Colony road Ward No. 3, P.S. - Town, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Commissioner-cum-Secretary, Human Resource Department (Higher Education) Govt. of Bihar, Patna.
3. The Joint Secretary, Govt. of Bihar, Patna.
4. The Director, Higher Education, Govt. of Bihar, Patna.
5. The Registrar, Baba Saheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
6. The Vice-Chancellor, Baba Saheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
7. The Finance Officer, Baba Saheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
8. The Principal, R.C. college, Sakra Dholi, Muzaffarpur.
9. The Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga, through it's Registrar.
10. The Vice-Chancellor, Lalit Narayan Mithila University, Kameshwar nagar, Darbhanga.
11. The Finance Officer, Lalit Naarayan Mithila University, Kameshwar Nagar, Darbhanga.
12. The Principal, A.N.D. College Shahpur Patory, Samastipur.
13. The Principal, B.R.B. college, Samastipur.
14. The Principal Samastipur College. Samastipur.
15. The Head P.G. Department, Psychology, Lalit Narayan Mithilal University, Kameshwar Nagar, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-06-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State as well as learned



counsel for University.

The present application has been filed for the following relief:-

I. For a direction to the respondents to pay to the petitioner the amount of part Group Insurance (G.I.) with 12.5% compound interest.

II. For a direction to the respondents to pay to the petitioner the amount of Medical Allowance (M.A.) Rs. 200 per month w.e.f. 01.8.2014 to onwards vide Sankalp No. 1084 dated 4.8.2014 (Finance Department).

III. For a direction to the respondents to pay to the petitioner the amount of D.A. with H.R.A. from the period of January 2006 to March 2010.

IV. For a direction to the respondents to pay to the petitioner the amount of strike period salary 131 days.

V. For a direction to the respondents to pay to the petitioner the amount of D.D.A. from 83 to 17.8.88 under R.C. College Sakra, B.R.A. Bihar University, Muzaffarpur.

VI. For a direction to the respondents to pay to the petitioner the amount of difference of salary from April 1981 to December 1985 (near about Rs. 14374/-) and from 1.1.86 to 17.8.88 near about Rs. 36288/- under R.C. College Sakra,



B.R.A. Bihar University, Muzaffarpur.

VII. For a direction to the respondents to pay to the petitioner the amount of panel interest upon entire dues amount from the dates they became due till the date of their respective payment.

VIII. Any other relief(s) to which the petitioner be deemed entitled.

Learned counsel for the petitioner submits that petitioner retired on 31.8.2014 as University Professor, Head of Department of Psychology but he has not been paid his admissible post retiral dues.

In the instant case, no counter affidavit has been filed.

Considering the fact that petitioner superannuated in 2014, the writ petition is disposed of with a direction to the Lalit Narayan Mithila University to take appropriate decision with regard to claim of the petitioner, if already not settled, within a period of sixty days from the date of receipt/production of a copy of this order.

While taking decision, the University is obliged to follow the decision of this Court in C.W.J.C. No. 11219 of 2011 which has been affirmed in LPA No. 1253 of 2015. Far as payment of interest on group insurance is



concerned, if the admissible dues are not paid to the petitioner within a period of sixty days, the petitioner shall be entitled to payment of interest @ of 10 % from the date of retirement till the date of actual payment.

The Bihar University is required to address grievance of the petitioner so far as difference of arrears of salary on account of revision within the same period, failing which the petitioner shall be liable to interest @ 9% from the date of filing of writ application dated 16.5.2019 till the date of actual payment.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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