

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19422 of 2018

Sipra Bagchi Daughte of Late Bhabes Chandra Bagchi, resident of Mohalla-Building of Jawahar Prasad Singh, Ghosh lane Samastipur, P.S. Town, District Samastipur. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Higher Education, Government of Bihar, Patna.
3. The Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga through its Registrar.
4. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Principal, Women's College, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate
For the Respondent/s : Mr.Madanjeet Kumar- GP-20

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 09-06-2020 Heard learned counsel for the petitioner, State and
the University.

The present writ petition has been filed for the
following reliefs:

- i. For a direction to the respondents to pay to the petitioner the amount of unutilized leave encashment in lecturer senior scale Rs. 10,000-15,000/- under limit 300 days without adjust of 131 days of strike period in view of order of Hon'ble Lokayukta and concerned principal entry 267 days earned leave in service book (Annexure-3) as 12 days earned leave count from 27.7.1998 to 28.2.2016 in accordance with law.
- ii. For a direction to the respondents to pay to the petitioner the amount of part Group Insurance with 12.5% compound interest in accordance with law.



iii. For For a direction to the respondents to pay to the petitioner for amount of difference of arrear of pension from 1.3.2016 to onwards on accounts of promotion of lecturer senior scale Rs. 10,000/-- 15,000/-.

iv. For a direction to the respondents to pay the petitioner the amount of DDA with 9% interest from the period of 1982 to 1989.

v. For a direction to the respondents to pay to the petitioner the amount of difference of salary from 8.2.2007 to 28.2.2016 on account of promotion of lecturer to the rank of lecturer senior scale Rs. 10,000/--15,000/- in Botny Department (Annexure-2)

vi. For a direction to the respondents to pay to the petitioner the amount of UGC DA and HRA difference from 1.1.2006 to 31.3.2019 near about Rs. 4,25,036/- in accordance with law.

vii. For a direction to the respondents to pay to the petitioner the amount of interest of gratuity and pension by the government circular bearing no. PC-21-16179/3155 dated 7.11.1981 and pay penal interest upon the entitle dues from the dates they became due till the dates of their respective payment.”

The petitioner superannuated on 28th February, 2016.

Learned counsel for the petitioner submits that notwithstanding promoted to the post of Lecturer on 30.11.1992 vide Annexure-1 and promoted to the senior scale of lecturer on



30.3.2011, the petitioner has not been granted the benefit of the same. He further submits that the Principal has calculated the entitlement of the petitioner and sent to the University but the same is pending at the level of the University. He submits that the writ petition may be disposed of with liberty to the petitioner to file an exhaustive representation before the University.

Considering the aforesaid, the writ petition is disposed of with liberty to the petitioner to file exhaustive representation along with a copy of this order and on filing such representation, the Vice-Chancellor of the University shall appropriately decide the representation by reasoned and speaking order within a period of three months from the date of receipt/production of a copy of this order.

It goes without saying that the respondents shall make payment of the admitted dues in the meanwhile.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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