

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10842 of 2018

1. Rajesh Kumar Son of Late Ram Naresh Prasad, Resident of Village-Manichhaper, P.O.- Hathwa, P.S.- Hathwa, District- Gopalganj, Bihar-841436.
2. Ramesh Prasad, Son of Late Ram Naresh Prasad, Resident of Village-Manichhaper, P.O.- Hathwa, P.S.- Hathwa, District- Gopalganj, Bihar-841436.

... .. Petitioners

Versus

1. The State Of Bihar through Principal Secretary, Education Department
2. Jai Prakash University, Chapra through Registrar, Jai Prakash University Dak Bunglow Road Chapra, Dist. Saran.
3. The Vice Chancellor, Jai Prakash University, Dak Bunglow Road Chapra, District- Saran.
4. The Registrar, Jai Prakash University, Dak Bunglow Road Chapra, District- Saran.
5. The Finance Officer, Jai Prakash University, Dak Bunglow Road Chapra, District- Saran.
6. The Principal-cum-Professor Incharge, Gopeshwar College, Hathwa, District- Gopalganj, under J.P. University, Chapra.
7. The Secretary-cum-Commissioner Department of Higher Education, Government of Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Labh, Adv.
For the Respondent/s	:	Mr.Ashutosh Ranjan Pandey- AAG15
For the J.P. University	:	Mr. Nagendra Kumar Singh Adv.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 04-06-2020

The matter was mentioned for listing on urgent basis,
which was allowed by Hon'ble the Chief Justice.

Accordingly, the same has been listed today for
consideration through Video Conferencing.

Mr. Binod Kumar Labh, counsel for the petitioners, Mr.
Ashutosh Ranjan Pandey, AAG-15 for the State and Mr.



Nagendra Kumar Singh counsel for the J.P. University are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audiovisual technology.

The admitted dues of the petitioners have been paid to them.

Mr. Labh, learned counsel appearing for the petitioners, submits that some interest should be awarded as payment of dues, admissible to the petitioners, in respect of services rendered by their father till the date of his death in harness on 08.12.2015 has been paid now in the instant proceedings.

From the order sheets, it appears that under orders of this Court in the instant proceedings, the petitioners finally submitted the requisite papers for grant of benefits in respect of the deceased employee in harness. The University has taken a plea in the counter affidavit that since the requisite papers had not been submitted earlier, the claim of the petitioners could not be processed earlier.

In view of the dispute raised with respect to untimely/ timely submission of requisite papers for grant of dues, no case is made out for grant of interest by this Court exercising jurisdiction under Article 226 of the Constitution of India.



Petitioners, however, would be at liberty to raise their claim/grievance for grant of interest in appropriate civil proceedings.

The writ petition is disposed off.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04.06.2020
Transmission Date	

