

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Civil Writ Jurisdiction Case No.11839 of 2019**

Rajendra Prasad Son of Bhaluram Rajak, Resident of Patel Nagar, P.O., P.S.
and District Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department Govt. of Bihar, Patna.
3. The Director Higher education Govt. of Bihar, Patna.
4. The Tilka Manjhi Bhagalpur University, Bhagalpur through its Vice-Chancellor.
5. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
6. The Registrar, Tilka Manjhi, Bhagalpur University, Bhagalpur.
7. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
8. The Munger University Munger through its Chancellor.
9. The Vice Chancellor, Munger University, Munger.
10. The Registrar, Munger University, Munger.
11. The Finance Officer Munger University, Munger.
12. The Principal Ramdhin College Sheikhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (SC16)

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

7 31-08-2020 Heard learned counsel for the petitioner, learned counsel representing the Tilka Manjhi Bhagalpur University, Bhagalpur and learned counsel representing the Munger University, Munger.

A supplementary counter affidavit has been filed on behalf of the Munger University (respondent no. 10) in which categorical statements have been made regarding the payments



made to the petitioner. In paragraph '7' it is stated that 10% of the leave encashment amount will be paid after submission of no dues certificate from Account Section of Tilka Manjhi Bhagalpur University.

Although in paragraph '9' and '10' there are statements that certain amounts are to be paid by Tilka Manjhi Bhagalpur University on account of arrears and group insurance along with employees welfare fund but learned counsel for the petitioner has submitted before this Court that in fact the amount indicated in paragraph '9' and '10' have already been paid by Tilka Manjhi Bhagalpur University, therefore, learned counsel submits that the only grievance of the petitioner is now with respect to the remaining 10% of the leave encashment amount.

In the given facts and circumstances of the case where the grievance of the petitioner has been substantially redressed, with the consent of learned counsel for the parties this Writ Application is being disposed off with a direction to the Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur and the Registrar as also the Finance Officer (respondent no. 5, 6 & 7) to take appropriate steps for issuance of no dues certificate which is required for the purpose of release of the remaining 10% leave encashment amount.



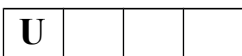
Let the necessary verification in this regard be done within a period of one month from the date of receipt/production of a copy of this order and in case the petitioner is entitled for no dues certificate, the same be sent to the Munger University within next 30 days whereupon the Munger University shall pay the admitted amount to the petitioner within another one month.

Let the whole exercise be completed by respondent nos. 5, 6 & 7 first within the aforesaid period the aforesaid period, failing which the petitioner will be at liberty to file a short affidavit with an interlocutory application in this case and point it out to this court. Any inaction on the part of any of the authorities shall be viewed seriously.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-



Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

