

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17754 of 2018

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Jawahar Prasad Sinha Son of Late Abadh Bihari Sinha, Resident of Mohalla-
Ghosh Lane, Samastipur, Ward No.17, P.S.- Town, District- Samastipur.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar
For the Respondent/s : Mr.Madanjeet Kumar -Gp20

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 09-06-2020 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 the parties.

Following relief(s) have been sought for by the petitioner
in the present writ application:

*“(i) For a direction to the Respondents to
pay the petitioner the amount of part*



unutilized leave encashment 144 days in selection grade scale Rs. 12000-18300/- under limit 300 days without adjust 131 days of strike period in view of order of Hon'ble Lokayukta and difference amount unutilized leave encashment of 145 days on account of selection grade scale to get Earned leave 289 days entry in service book (Annexure-10)

(ii) For a direction to the Respondents to pay the petitioner the amount of Group Insurance with 12.5% compound interest in accordance with law.

(iii) For a direction to the Respondents to pay the petitioner for the amount of difference of arrears of pension from 01-09-2013 to onward on account of promotion of lecturer senior scale Rs. 10,000-15200/- and selection grade scale Rs. 12,000-18,300/-

(iv) For a direction to the Respondents to pay the petitioner the amount of D.D.A. with 9% interest from the period of 1982 to 1989 near about 42,426/- (Annexure-6).

(v) For a direction to the Respondents to pay the petitioner the amount of difference of salary from 27-07-1998 to 21-12-2005 on account of promotion of lecturer senior scale Rs. 10,000-15200/- and from 22-12-2005 to 31-08-2013 on account of promotion of Lecturer selection grade scale Rs. 12,000-



18,300/-

(vi) For a direction to the Respondents to pay the petitioner the amount of U.G.C. D.A. and H.R.A. difference from 01-01-2006 to 31.03.2010 Rs. 4,98,125/- in accordance with law. (Annexure-5.

(vii) For a direction to the Respondents to pay the petitioner the amount of interest of gratuity and pension by the government circular bearing No. P-C-21-16179/3155 dated 07-11-1981 and pay penal interest upon the entitle dues from the dates they became due till the dates of their respective amount”.

Counter affidavit and supplementary counter affidavit has been filed on behalf of respondents No. 4 to 6. Following statements have been made in paragraphs-4, 5 & 6 of the supplementary counter affidavit filed on behalf of respondents No. 4 to 6:

“4. That the different of post retiral dues have been re-examined. The following facts have emerged:-

(a) Leave Encashment:- it is made clear that 155 days additional E.L. after adjustment of 145 days on maximum limit of 300 days has been sanctioned for which a sum of Rs. 2,44,610/- has been found payable which is being paid through Treasury advice.

(b) Pension Arrear:- From 01-09-2013 to Feb. 2019, a sum of Rs.



39,75,686/- has been found payable.

5. That as such, after judgment of earlier paid amount of Rs. 30.18,003/- residual amount of Rs. 9,57,683/- is being paid through treasury advice.

6. That as regards payment payment of Group Insurance, it is stated that the petitioner has already got the payment of Group Insurance vide letter No. 16856/18 dated 29-10-2018 for Rs. 54,011/- ”

It has further been submitted on behalf of respondents No. 4 to 6 that most of the grievances has already been redressed.

Considering the aforesaid facts and circumstances, the petitioner, if so advised, is directed to file/make a representation before the concerned authority within a period of twelve weeks from today for redressal of remaining grievances. The concerned authority shall pass an appropriate order, in accordance with law, within a period of four months, from the date of filing/making of such representation.

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

(Sudhir Singh, J)

A.K.V.//-

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