

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20064 of 2018

Dr. Kapildeo Prasad Singh S/o Late Ram Khelawan Singh, resident of village and Post- Maghra, P.S.- Deep Nagar, Biharsharif, District- Nalanda, retired as University Professor in the subject of Political Science from Nalanda College, Biharsharif, Nalanda, under Magadh University, Bodh Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Vice Chancellor, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University Bodh Gaya.
5. The Finance Officer, Magadh University Bodh Gaya.
6. The Principal, Nalanda College, Biharsharif, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh, Advocate
For the State	:	Mr.Sanjay Kumar, AC to GP 23
For the University	:	Mr. Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 17-06-2020

This matter has been taken up through video conference.

2. The following reliefs as formulated by the petitioner have been claimed in the writ petition--

“(i) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent authorities to fix the pension as per clause-5.2(b) (ka) of Resolution No. 1674 dated 16.8.2012 by which the basic pension of the retired employee would be 50% of total emolument or average of last 10 months salary whichever is higher and further



a direction to make payment the arrear of pension for the period of 01.02.2006 till the date of payment with statutory interest.

(ii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that the pension fixed by the respondent-University requires to be revised in view of State Government Resolution No. 1674 dated 16.08.2012 (Annexure-2). A representation dated 04.09.2018 (Annexure-4) in this regard has been filed before the Registrar, Magadh University (respondent no.4), which however remains pending.

4. Learned counsel for the respondent-University appears and assures that the aforesaid representation of the petitioner, if still pending, shall be disposed of without further delay.

5. Having heard the parties and having regard to the nature of the grievance of the petitioner, the writ petition is disposed of with a direction to the Registrar, Magadh University (respondent no.4) to consider and dispose of the representation dated 04.09.2018 said to have been filed by the petitioner, if still pending, within a period of six weeks from today after grant



of opportunity of hearing to the petitioner, in accordance with law.

6. It is also made clear that in view of the ongoing lockdown and Covid-19 pandemic, any correspondence between the parties may be made through email and that the concerned authority shall be at liberty to hear the petitioner through video conference. Learned counsel for the University has furnished his e-mail ID [anil_lex@yahoo.co.in] to learned counsel for the petitioner to facilitate correspondences with the respondent-University.

(Vikash Jain, J)

HR/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.06.2020
Transmission Date	

