

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 15415 of 2019

Dr Md Hasib Alam S/o Late Abdul Razzaque Resident of Jai Prakash Nagar,
Ward No. 22, District- Khagaria, a superannuated as Reader department of
Commerce, Koshi College, Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Principal Secretary Education Department, Government of Bihar, Patna.
3. The Vice- Chancellor T.M. Bhagalpur University, Bhagalpur.
4. The Registrar T.M. Bhagalpur University, Bhagalpur.
5. The Finance Officer T.M. Bhagalpur University, Bhagalpur.
6. The Principal Koshi College, Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr Shashi Bhushan Singh, Advocate
For the S t a t e	:	Mr Subash Chandra Mishra, SC XVI
For the University	:	MrAshhar Mustafa, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 16-06-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsels 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 audio visual technology.

Heard learned counsel for the petitioner and the
respondents.

The petitioner has raised a claim in the instant
proceeding for Earned Leave of 300 days asserting that he has



been paid Earned Leave for a period of only 264 days. The other claims are in respect of Group Insurance, Employees Welfare Scheme and arrears of difference of salary for the period 01.01.2006 to 31.07.2011 and for the period 2013 – 2014 and 2014 – 2015. The petitioner has given details in Annexure 10.

The learned counsel representing the University submits that amounts, found due and admissible, have been paid to the petitioner. It is also submitted that amount outstanding under the Head *Group Insurance* has been paid to the petitioner. In respect of arrears of salary, it is submitted that in spite of Letters written to Respondent No 6 by the University, he has not sent the details to consider and pay the dues on account of arrears of difference of salary as per entitlement of the petitioner. Regarding Earned Leave, it is submitted that the same will be considered in accordance with law. The respondents may be given liberty to do so.

In view of the aforesaid submission, this Court would observe that keeping the writ petition pending would serve no useful purpose.

The University would send another Communication to Respondent No 6 so as to facilitate payment of balance due and



admissible amounts in respect of the various claims raised in Annexure 10.

Respondent No 6 would be obliged to furnish the necessary details for expeditious consideration of the petitioner's claim within a period of two weeks from the date on which the University sends such Communication. The University would send fresh Communication to Respondent No 6 within two weeks from the date of receipt/production of a copy of this order.

The Authorities should take all steps to ensure payment of due and admissible amounts to the petitioner, which remained unpaid, in accordance with law in terms of the claim raised in Annexure 10 within a period of eight weeks thereafter.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

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