

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16330 of 2019

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Siya Ram Prasad @ Siya Ram Son of Late Balkishun Ram Resident of
Mohalla- Bahadurpur Housing Colony, Sector-3, Block-3, Flat No.-25, Bhoot
Nath Road, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar,
Patna.
3. The Vice Chancellery, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University, Bodh Gaya.
5. The Finance Officer, Magadh University, Bodh Gaya.
6. The Vice Chancellery, Patliputra University, Patna.
7. The Registrar, Patliputra University, Patna.
8. The Finance Officer, Patliputra University, Patna.
9. The Principal College of Commerce, Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Anil Kumar No.1
For the State	:	Mr. Ashutosh Ranjan Pandey AAG-15
For the Patliputra University	:	Mr. Anand Kumar, Adv.
For the Magadh University	:	Mr. Ritesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 23-06-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsel representing the petitioner, counsel for
the State, counsel for the respondent –Patliputra University and
counsel for the respondent Magadh University are appearing
and making submissions from their residence. The Court
Master and Secretary are also part of this virtual court



proceedings from their homes, all with the aid of audio visual technology.

Heard the parties.

The petitioner claims amounts due under the head difference of salary as per 5th pay revision Commission recommendation. The other dues on account of Earned leave, Group Insurance and Gratuity are claimed in respect of the father who was posted as peon in the College of Commerce under the Magadh University. He is said to have died in the year 2007 leaving behind his widow and three sons.

The writ petition has been filed by one of the sons. The respondent- Magadh University has taken a stand that the petitioner and other legal heirs are to execute certain documents including affidavits so as to enable processing of the petitioner's claim.

The petitioner's counsel submits that it appears that in view of the Covid-10 pandemic, parts of University office has been converted into isolation wards. At this moment, it would not be proper to go to the University for submitting the requisite affidavits.

Having considered the rival submissions, this Court would observe that no adjudication is called for in the instant



proceedings. The petitioner and other legal heirs have to comply with the statutory requirements for being paid the admissible dues in respect of the deceased employee. The current situation does not permit processing of the claim.

In the circumstances, the interest of justice would be served, if this Court disposes of the writ petition with directions. The Respondent- Magadh University would be under a legal obligation to communicate to the petitioner the specified requirements within a period of two (02) weeks from the date of resumption of normal activity in the University or within eight weeks, whichever is earlier. The petitioner, in turn, may submit the requisite documents and on submission of the requisite documents, University must process the amounts due to the petitioner (son) and other legal representatives and communicate the same to the petitioner by a detailed order containing the details calculation of the amounts being paid.

The writ petition stands disposed off.

(Madhuresh Prasad, J)

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