

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23206 of 2019

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Nityanand Prasad Son of Saket Bihari Sinha Resident of MIG 137 Hanuman Nagar, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. Magadh University, Bodh Gaya through the Registrar.
4. The Vice Chancellor, Magadh University, Bodh Gaya.
5. The Vice Chancellor, Patliputra University, Patna.
6. The Principal, College of Commerce, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Respondent/s : Mr.Jitendra Kr. Roy 1 (Sc13)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL JUDGMENT

Date : 09-12-2020

Heard Mr. Rajesh Kumar, learned counsel appearing for the petitioner, Mr. Jitendra Kumar Roy No. I, Standing Counsel III for the State, Mr. Ritesh Kumar learned counsel appearing for Magadh University (Respondent Nos. 3 and 4) and Mr. Shriprakash Srivastava, learned counsel appearing for Patliputra University (Respondent No.5) through Video Conferencing.

Grievance of the petitioner in this writ petition is with regard to non-payment of unutilized earned leave of 217 days in view of recommendation of 6th Pay Scale Revision and for



arrears of pay from 01.01.2006 to 31.10.2009 and any other relief/ reliefs for which petitioner is entitled.

Mr. Ritesh Kumar, learned counsel for the Magadh University while filing supplementary counter affidavit stated in paragraphs 4 and 5 that the University has already calculated the arrears of pay which comes to Rs 2,21,775/- and the University sent to the State Government vide letter No. Fin/Sal/63/2020 dated 15.06.2020 and now the State Government shall make payment through treasury to the petitioner. The University in paragraph 5 of the counter affidavit stated that 180 days of unutilized earned leave has already been paid and remaining is likely to be paid within four weeks as there was no Finance Officer and now Finance Officer has joined on Monday.

Learned counsel for the State also undertakes to make payment of arrears of salary within six weeks as recommended by the University.

Having considered the facts, I dispose of this writ petition with a direction to the Magadh University to make payment of remaining amount of unutilized earned leave encashment within four weeks and the State Government shall make payment of arrears of salary amounting to Rs 2,21,775/- within six weeks from the date of this order.



With the aforesaid observations/directions, this writ
petition stands disposed of.

(Prabhat Kumar Jha, J)

s.hassan/-

AFR/NAFR	
CAV DATE	
Uploading Date	11.12.2020
Transmission Date	

