

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24432 of 2019

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Manjula Sinha, aged above 80 years (Female), W/o Late Radha Raman Sinha,
R/o Vatsa villa, Kasturba Path, North Sri Krishna Puri, P.s.- North Sri Krishna
Puri, Distt.- Patna-800013.

... .. Petitioner

Versus

1. The Vice Chancellor, Dr. B.R.A. Bihar University, Muzaffarpur
2. The Registrar Dr. B.R.A. Bihar University, Muzaffarpur
3. The Principal Secretary Department of Human Resource, Govt. of Bihar,
Patna

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Manoj Kumar Ambastha, Advocate.
For the State	:	Mr. Subash Chandra Mishra, S.C. 16.
For the Dr. B.R.A. Bihar University, Muzaffarpur	:	Mr. Arvind Nath Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-06-2020 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 learned counsels for the parties.

The following reliefs have been sought for on behalf
of the petitioner in the present writ application.

“For issuance of a writ in the nature of
writ of Mandamus or any other
appropriate writ, orders/directions
commanding the respondents to pay her
pension at full rate from 08.02.2019
when she became 80 years old and to
pay the arrears thereof as per 7th Pay
Commission.”



A counter affidavit filed on behalf of Dr. B.R.A. Bihar University, Muzaffarpur, is on record. The following statements have been made in paragraph nos. 5, 6 and 7 of the said counter affidavit filed on behalf of Dr. B.R.A. Bihar University, Muzaffarpur.

“5. That it is stated that in the light of order passed by this Hon’ble Court, it is stated and submitted that pension of the petitioner, namely, Manjula Sinha, has been revised and accordingly, an advice has been issued to the Branch Manager, State Bank of India, B.U. Campus, vide University Letter bearing No. BU/Pen/354 dated 29.01.2020 for the payment of enhanced pension alongwith arrears for attaining the age of 80 years to the petitioner.

6. That so far as arrears of pensions as per 7th Pay Commission is concerned, it is respectfully stated and submitted that the State Government vide Letter No. 15/G1-01/2019-153 dated 23.01.2020 has sanctioned the amount for payment of revised salary, salary arrears, pension and pension arrears under 7th Pay Commission to the University. It is submitted that the pension of the will now be further revised as per recommendation of 7th Pay Commission and its arrears will be paid to the petitioner after receipt of the fund in the University P.L. A/C alongwith other petitioners.

7. That it is stated that the petitioner did not submit her Annual Life Certificate to the Bank. Therefore, the petitioner is hereby requested to submit her Life Certificate to the Bank as per rules at earliest.”



Considering the statements made in the aforesaid paragraphs of the counter affidavit filed on behalf of Dr. B.R.A. Bihar University, Muzaffarpur, the petitioner is granted liberty to make/file an appropriate representation before the concerned authority for redressal of his remaining grievance, if any.

In case, any such representation is made/filed by the petitioner before the concerned authority, the concerned authority shall consider the representation of the petitioner and 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 and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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