

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6176 of 2021

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1. Kaiser, Wife of Late Nasim Ahmad, resident of 710, Sanichra Pool, Sanichra More, New Azimabad Colony, P.o.- Mahendru, District- Patna-800006
 2. Shahbaz Ahmad, Son of Late Nasim Ahmad, Resident of 710, Sanichra Pool, Sanichra More, New Azimabad Colony, P.o.- Mahendru, District- patna-800006

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Director, Higher Education, Government of Bihar, Patna
4. The Vice Chancellor, Patliputra University, Patna
5. The Registrar, Patliputra University, Patna
6. The finance Officer, Patliputra University, Patna
7. The Principal B.S. College, Danapur, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shahabuddin Azeem @ S. Azeem, Advocate
For the Respondent/s	:	Mr.Lalit Kishore (AG)
For the University	:	Dr. Anand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 19-05-2021 Heard Mr. S. Azeem, learned counsel for the petitioners and Dr. Anand Kumar, learned counsel for the University.

2. Learned counsel appearing on behalf of the petitioners admits that Rs.6,00,000/- (Six lakhs) has been deposited in the account of the petitioners, whereas Dr. Anand Kumar submits that he has received instruction from the Registrar of the University that pension has been sanctioned in favour of the petitioners. Dr. Anand Kumar further submits that



certain documents are required to complete the entire process for payment of all terminal dues.

3. Mr. Azeem, on the other hand submits that the University is insisting on affidavit to be affirmed in presence of the Executive Magistrate whereas during pandemic Executive Magistrates are not sitting.

4. In view of the fact that Rs.6,00,000/- (Six lakhs) has been deposited in the account of the petitioners and Dr. Anand Kumar, on instruction, submits that pension has been started in favour of the petitioner, the present writ application is disposed of with a direction to the University to provide detailed calculation chart. The University will request the petitioners to provide necessary documents, if any, for clearing the balance dues within a period of one month from today and on such request the petitioners will complete the formality and if the Executive Magistrates are not available, the affidavit affirmed before the Notary Public may be accepted by the University as an exceptional case during Covid time and thereafter the balance terminal dues should be cleared by the University.

5. Entire exercise in this regard may be completed by the University within a further period of five months from the date of receipt/production of a copy of this order.



6. With the aforesaid, the writ application stands
disposed of.

(Anil Kumar Upadhyay, J)

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