

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18367 of 2018

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Arun Kumar Mishra, Son of Late Lal Krishna Mishra, R/o Village- Janarh,
P.S.- Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The L. N. Mithila University through its Registrar
2. The Vice-Chancellor, L. N. Mithila University, Darbhanga.
3. The Financial Advisor, L. N. Mithila University, Darbhanga,
4. The Registrar, L. N. Mithila University, Darbhanga.
5. The Finance Officer, L. N. Mithila University, Darbhanga,
6. The Principal Women's College, Samastipur, District- Samastipur.
7. The State of Bihar, through the Principal Secretary, Education Department,
Government of Bihar, New
8. The Director, Higher Education Department, Govt. of Bihar, Patna.
9. The Hon'ble Chancellor of Universities, Raj Bhawan, Patna, through the
Principal Secretary to the Hon'ble Chancellor

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Advocate
For the Respondent/s	:	Mr. Jitendra Kr. Roy 1, SC-13
For the University	:	Mr. Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

11 08-07-2021 Heard Mr. Purushottam Kumar Jha, learned counsel

for the petitioner, Mr. Jitendra Kumar Roy No. 1, learned SC 13

and Mr. Md. Nadim Seraj, learned counsel for the LN Mithila

University.

2. The controversy involved in the present writ
application is entitlement of the pay scale of the petitioner on
01.01.1996. After filing rejoinder affidavit, the University has
accepted the mistake and rectified the same.



3. Mr. Nadim Seraj, learned counsel for the University, on instruction, submits that the petitioner would be entitled to pay scale of Rs.4000-6000/- from 01.01.1996.

4. In view of the aforesaid admitted position (admitted by the counsel for L.N. Mithila University), the corresponding revision of pay on account of grant of ACP/MACP is to be calculated afresh by the University and the balance amount admissible to the petitioner should be paid at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order.

5. Accordingly, the writ application is disposed of with a direction to the University to re-determine the entitlement of the revised pay scale on grant of ACP/MACP to the petitioner treating his pay scale on 01.01.1996 as Rs.4000-6000/- and ensure payment of balance amount as per entitlement and pay the same to the petitioner within the time indicated herein above, failing which the petitioner shall be entitled to payment of interest at the rate of 9% per annum from the date of retirement of the petitioner till the date of actual payment.

6. It goes without saying that the respondents have to recalculate the post-retiral dues of the petitioner afresh in view of the rectification order of fixation of pay scale. The



respondents shall complete the entire exercise of re-fixation of post-retiral dues within a further period of two months from the date of receipt/production of a copy of this order.

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

(Anil Kumar Upadhyay, J)

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