

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23246 of 2019

Uday Kumar Jha S/o Late Yadubir Jha, Resident of Ranipur, Behind S.B.I. Darbhanga P.S.- Basudeopur Bira, District- Darbhanga, retired as Assistant from L.N. Mithila University, Darbhanga. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Vice Chancellor, Lalit Narayan Mithila University, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh, Adv.
For the State	:	Mr. AC to GP 27
For the L.N.M.University:		Mr. Rakesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 21-01-2021 Heard Mr. Shashi Bhushan Singh, learned counsel for the petitioner, learned AC to GP 27 and Mr. Rakesh Kumar Singh, learned counsel for the L.N. M. University.

2. The petitioner in this writ petition seeks direction to the respondents to pay arrears of pension after pay fixation by the statutory pay committee of the University and gratuity with interest thereon.

3. A detailed counter affidavit has been filed by the University stating therein that the petitioner was appointed on the post of Typist on 16.11.1977 and subsequently promoted to the post of Assistant on 11.08.1983. The entire pensions, gratuity, leave encashment of 300 days, group insurance have already been paid to the petitioner but arrears of pension in the



light of A.C.P. and M.A.C.P. is not paid due to paucity of fund for which a letter has been sent to the State Government for making the fund available.

4. Learned counsel for the petitioner submits that the petitioner is entitled to get salary and pension in the pay scale of Rs.15,600 - 39,100 with Grade Pay of Rs.7600/-.

5. Having considered the facts that the admitted entire dues save and except the arrears of pension have already been paid to the petitioner and, therefore, I dispose of the writ petition with a direction to the petitioner to file a detailed representation before the University with regard to fixation of salary and if the University feels, the same shall be forwarded to the Education Department for redressal of the grievance of the petitioner within six months from the date of receipt of this order. So far the order of recovery is concerned, the recovery shall not be made till the disposal of the representation of the petitioner.

6. With the aforesaid directions, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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