

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20065 of 2018

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Narendra, Son of Late Shree Saryoo Prasad Singh, Resident of Mohalla-Sonvarsa Chowk, R.N.A.R. College Road Samastipur, Police Station-Muffasil, District- Samastipur.

... .. Petitioner

Versus

1. The State Of Bihar through Commissioner-Cum-Secretary, Human Resources Department (Higher Education), Govt. of Bihar, Patna.
2. The Director, Higher Education, Government of Bihar, Patna.
3. The Lalit Narayan Mithila University, Kameshwar Nagar Darbhanga through its Registrar.
4. The Vice-Chancellor, Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga.
5. The Finance officer, Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga.
6. The Principal Samastipur College, Samastipur.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Ranjan Kumar, Advocate
For the State	:	Mrs. Binita Singh, SC-28
		Mr. Nishant Kumar Jha, AC to SC-28
For the University	:	Mr. Shailesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 05-10-2021

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The following reliefs as formulated by the petitioner have been claimed in the writ petition-

“(i) For a direction to the Respondents to pay to the petitioner the amount of unutilized leave encashment 290 days under limit 300 days without adjust of strike period in view of the order of the Hon’ble Lokayukta as to get earn leave 290 days entry in service book and



Principal sanctioned 290 days of earn leave vide Ref.No.1123/13 dated 18.11.2013 (Annexure-1).

(ii) For a direction to the respondents to pay to the petitioner the amount of Group Insurance with 12.5 % compound interest.

(iii) For a direction to the Respondents to pay to the petitioner the amount of DDA with 9% interest from the period of 1982 to 1989.

(iv) For a direction to the Respondents to pay the petitioner the amount of 88 days salary of strike period because Respondents has been deducted 88 days salary of the petitioner and rest 43 days of strike period has not been paid to the petitioner as yet.

(v) For a direction to the Respondents to pay to the petitioner the amount of D.A. with H.R.A. from the period of 01.01.2006 to 31.03.2010.

(vi) For a direction to the Respondents to pay to the petitioner the amount of Panel interest upon the entitle dues amount from the dates they became due till the dates of their respective payment.

(vii) Any other relief (s) to which the petitioner be deemed entitled."

3. At the very outset, learned counsel for the petitioner fairly states that all the his claims except compound interest @ 12.5 % on group insurance and D.A. with H.R.A. for the period from 1.01.2006 to 31.03.2010 have been received and grievances of the petitioner to that extent stand redressed. As regards 12.5% compound interest on group insurance, the petitioner has



been paid compound interest @ 8% against his entitlement of 12.5% in view of the judgment of a coordinate Bench of this Court dated 09.02.2021 passed in CWJC No. 17279 of 2018 (Ram Shankar Prasad Singh Vs. The State of Bihar and Ors.) as follows-

“Having heard learned counsel for the parties, in the opinion of the Court, the said decision of the Syndicate as contained in Annexure AC/3 dated 20.9.2018 would be prospective and thus the petitioner who retired on 31.10.2015 would be entitled for interest at the rate of 12.5 % on the amount under the head of group insurance.

The petitioner shall file a representation before the Registrar, L.N. Mithila University along with a copy of this order and the Registrar will ensure payment of the arrears of difference of amount under the head of group insurance after calculating the same with interest at the rate of 12.5% within a period of four months of the date of receipt of the representation. In case the aforesaid amount under the head of group insurance is not paid within the aforesaid period of four months, the petitioner shall be entitled for cost of Rs. 10,000/-”.

4. Learned counsel for the petitioner submits that it will suffice if the present writ petition is disposed of by granting liberty to the petitioner to file a representation before the appropriate authority for redressal of his grievances in the light



of the aforesaid decision and there is no need of going into the detailed merits of the matter.

5. Learned counsel for the respondent-University and State appear and have been heard.

6. Having regard to the nature of grievance and stand taken by the petitioner before this Court, the writ petition is disposed of, with liberty to the petitioner to file a representation before Registrar, Lalit Narayan Mithila University (Respondent No. 3) for redressal of his grievances within a period of four weeks from today. If any such representation is filed within the aforesaid period, the same shall be considered and disposed of on its own merits in accordance with law and after grant of an opportunity of hearing to the petitioner, expeditiously and in any even preferably within a period of eight weeks thereafter. Any amount found payable to the petitioner upon disposal of his representation shall be paid to him within a further period of twelve weeks.

(Vikash Jain, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	08.10.2021
Transmission Date	N.A.

