

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21445 of 2018

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Ram Bihari Thakur Son of Late Kedar Narayan Thakur, Resident of Mohalla- Nayak Toli Rosera, Ward No.2, Police Station- Rosera, 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, Govt. 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, U.R. College Rosera, Samastipur.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Ranjan Kumar, Advocate
For the State : Mr. Subhash Chandra Mishra, SC-16
For the University : Mr. Ajay Bihari Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 25-06-2021

Heard learned counsel for the petitioner and learned counsel for the respondents through video conference.

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 part gratuity in scale Rs. 15600-39100/- (Grade pay Rs. 7600) on account of A.C.P./M.A.C.P. Scale.

(ii) For a direction to the respondents to pay to the petitioner the amount of part unutilised leave



encashment on account of A.C.P./M.A.C.P. Scale of Rs. 15600-39100/- (Grade pay 7600).

(iii) For a direction to the respondents to pay to the petitioner the amount of part G.I. with 12.5% compound interest and D.D.A. with 9% interest.

(iv) For a direction to the respondents to pay to the petitioner the amount of difference of arrear pension from 01.02.2015 to February 2018 on account of A.C.P./M.A.C.P. Scale Rs. 15600-39100/-.

(v) For a direction to the respondents to pay to the petitioner the amount of difference of arrear of salary from March 1989 to 31.01.2015 on account of A.C.P./M.A.C.P. revised scale Rs. 15600-39100/-.

(vi) For a direction to the respondents to pay to the petitioner the amount of interest of gratuity and pension by the Government circular bearing No. P-C-21-16179/3155 dated 07.11.1981 any pay penal interest upon entitle dues from the date 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 states 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, and there is no need of going into the detailed merits of the matter.

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



5. Having regard to the stand of the petitioner, the writ petition is disposed of, with liberty to the petitioner to file a representation before the Registrar, Lalit Narayan Mithila University (Respondent No. 3) for redressal of his grievances. If any such representation is filed within a period of two weeks hereof, 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 event preferably within a further period of twelve weeks thereafter. To facilitate disposal, the petitioner shall furnish his mobile number and email ID to the respondent no. 3 within a week from today.

6. It is made clear that in view of the ongoing Covid-19 pandemic, any correspondence between the parties may be made through e-mail and the petitioner shall be at liberty to request for hearing through video conference.

(Vikash Jain, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	28.06.2021
Transmission Date	N.A.

