

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22642 of 2018

=====

Permanand Mishra son of Late Chadnra Shekhar Mishra, Resident of
Mohalla- Bari Durga Sthan Rosera Ward No.3, P.S.- Rosera, District-
Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Director, Higher Education, Govt. of Bihar, Patna.
3. The Lalit Narayan Mithila University, Kameshwar Nagar Darbhanga
through its Registrar.
4. The Vice Chancellor, L.N. University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, L.N.M. University, Kameshwar Nagar, Darbhanga.
6. The Principal, U.R. College Rosera, Distt- Samastipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar, Adv
For the Respondent/s	:	Mr. Hitesh Suman AC to SC-13
For the University	:	Mr. Shailesh Kumar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-11-2022 Heard Mr. Ranjan Kumar, learned counsel on behalf

of the petitioner as well as Mr. Shailesh Kumar, learned counsel

for the L.N.M University and Mr. Hitesh Suman learned AC to

SC-13 for the State.

At the outset, learned counsel for the petitioner
submits that during the pendency of the present application
substantial grievance of the petitioner has been redressed, save
and except the amount of group insurance @ 12.5 % with
compound interest and the amount of D.A and H.R.A from
01.01.06 to 31.07.2009.



It is submitted that the petitioner was superannuated from the post of Reader, Department of Hindi, U.R. College Rosera, Samastipur under L.N.M University on 31.07.2008. after serving more than 33 years of his service, however till date the petitioner has not been paid full and final retiral/ outstanding dues.

Shorn of unnecessary details, the counsel for the petitioner submitted that other similarly situated persons approached before this Court for payment of D.A and H.R.A amount and with respect to them necessary orders for payment have been made. He further submits that so far group insurance amount is concerned, the co-ordinate Bench of this Court in the case of Dewata Devi vs. State of Bihar and Ors and other analogous case vide its order dated 06.10.2021 has been pleased to direct the respondent university to pay to the petitioners the interest at the rate of 12.5% interest. He further submits that the case of the petitioner may be disposed of in terms of the order dated 06.10.2021 passed in CWJC No. 6672 of 2019 and other analogous cases.

At this stage, learned counsel for the university submits that in identical matters letters patent appeal has been preferred by the university and one of the LPA No. 138 of 2022



which is pending adjudication before this Court.

Having heard the parties, this writ application is disposed of with a direction to the petitioner to file a representation before the Registrar L.N.M University, Darbhanga along with the orders / judgments in support of his claim, as prayed for in paragraph no. 1 of the writ application. If such representation is filed within a period of four weeks, the respondent no. 4 (Registrar L.N.M.University, Darbhanga) shall consider the same and pass reasoned and speaking order, preferably, within a further period of four weeks. It is also observed that respondent no. 4 shall also ensure the payment of DA and HRA within the aforesaid period.

It is needless to say that if the claim of the petitioner finds favour and the case of the petitioner is found identical to those who have been granted similar benefits, the petitioner would also be granted the same benefits preferably, within a further period of four weeks.

Accordingly, the present writ application stands disposed of with the aforesaid observation and direction.

(Harish Kumar, J)

N.K/-

U			
---	--	--	--



