

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23085 of 2018

Dr. Ramesh Prasad Singh Son of Late Shiv Nandan Singh Resident of Near State Bus Stand Barauni, P.S. Barauni District-Begusarai retired as Associate Professor (Reader) in the department of Chemistry in A.P.S.M. College, Barauni, District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education, Govt. of Bihar, New Secretary, Patna.
2. The Principal Secretary, Higher Education, Govt. of Bihar, New Secretariat, Patna.
3. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Principal, A.P.S.M. College, Barauni, District-Begusarai

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Adv
For the Respondent/s	:	Smt. Namrata Singh AC to GA-12
For the University	:	Mr. Shailesh Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-11-2022 Heard Mr. Shashi Bhushan Singh, learned counsel appearing on behalf of the petitioner and Mr. Shailesh Kumar learned counsel for the University as well as Mrs. Namrata Singh AC to GA-12 for the State.

By filing the present writ application, the petitioner seeks a direction upon the respondent university to ensure the payment of earned leave, amount of group insurance along with 12.5% compound interest till the date of payment, the amount of



DDA @ 9% compound interest and further interest over delayed payment.

It is submitted that the petitioner was initially appointed on the recommendation of the Selection Committee of the Governing Body of the A.P.S.M College, Barauni, Begusarai in the year 1975. After completion of ten years of service from 24.08.1986, the University Screening Committee scrutinized the name of the petitioner for the purpose of grant promotion to the post of Reader and finally, he was promoted to the Post of Reader w.e.f from 24.08.1986. He next contended that after attaining the age of superannuation, he retired from the post of Reader on 30.06.2015. However even after seven years of his retirement till date, the full and final retiral/ outstanding dues have not been paid, compelling the petitioner to approach this Court. It is next contented that now the only grievance of the petitioner remains with the payment of GIC along with compound interest @ 12.5% and the DDA @ of 9% interest. He further submits that identically situated persons approached before this Court and they have been allowed the benefit of 12.5% of compound interest over the delayed payment of GIC and 9% interest over the DDA but the petitioner has been discriminated and he has not been paid the similar benefit



granted to the other persons. Reliance has taken place on a order/ judgment passed by this Court in the case of Dewata Devi vs. State of Bihar and Ors. passed in CWJC No. 6672 of 2019. He next contended that if, the writ application be disposed of in terms of the aforesaid order passed in the case of Dewata Devi , he would be satisfied.

At this juncture, learned counsel for the university submits that so far the compound interest of 12.5% over the delayed payment of GIC is concerned, the university has preferred LPA No 138 of 2020, which is pending consideration along with other analogous appeals.

Having considered the submission made on behalf of the parties and the materials available on the record, this writ petition stands disposed of with direction to the petitioner to file a representation before the Registrar, L.N.M. university along with the materials in support of his claim within four weeks, from today. If such a representation is filed, the Registrar, L.N.M.University shall consider the claim of the petitioner in terms of the order passed by this Court in the case of Dewata Devi vs. State of Bihar and Ors supra.

It is needless to say that if, the case of the petitioner is found identical to the aforesaid similarly situated persons, the



similar benefit would be granted to him within the further period of eight weeks.

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

(Harish Kumar, J)

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