

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6097 of 2020

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Md. Raquimuddin S/o Md. Abid Hussain Department of Establishment Sec.
Bihar Agriculture College Compus Sabour District- Bhagalpur at present
resident of Village at Purabi, Panasi, P.S.- Paharkatta, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
2. The Accountant General Bihar, Patna.
3. The Vice- Chancellor Bihar Agriculture University Sabour, Bhagalpur.
4. The Director Administration Bihar Agriculture University Sabour, Bhagalpur.
5. The Comptroller Bihar Agriculture University Sabour, Bhagalpur.
6. Associate Dean- cum- Principal Bihar Agriculture College, Sabour, Bhagalpur.
7. The Assistant Director Administration Bihar Agriculture University Sabour, Bhagalpur.
8. The Assistant Comptroller (Fund) Bihar Agriculture University Sabour, Bhagalpur.
9. The Head Clerk Accounts Bihar Agriculture University Sabour, Bhagalpur.
10. The Officer Incharge Field Bihar Agriculture College Sabour, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Firoz Ahmad, Advocate
For the State	:	Mr.Dhurjati Kr. Prasad (GP-14)
For the respondent Nos. 3-10:		Dr. K.N. Singh, Sr. Advocate
		Mr. Shailendra Kr. Singh, Advocate
		Mr. Ram Krishna, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

6 23-08-2022 Though the present writ petition had been filed for payment of the outstanding retiral dues, as also for payment of the pension/gratuity etc. on the basis of last pay scale @ of Rs. 52000/- instead of Rs. 45400/- as also for fixation of retiral dues on the basis of 7th pay scale but it is apparent from the counter



affidavit filed on behalf of the respondent nos. 3 to 10 that the petitioner has already been paid the entire amount of gratuity, pension/its arrears, leave encashment amount, group insurance amount and arrears of MACP. It has also been submitted in the said counter affidavit filed by the respondent nos. 3 to 10 that the petitioner was entitled to only two ACP, however, he was wrongly granted three ACP/MACP, however, the fact is that the petitioner had already been granted one promotion, hence he was/is entitled to only two ACP, thus, on this score, rectification was made and pension has been fixed on the corrected revised pay-scale. Though it is the stand of the respondent-University and to that effect the learned senior counsel Dr. K.N. Singh has submitted that the University does not propose to recover any excess amount paid to the petitioner, nonetheless, it is submitted that the entire benefits/pension has been calculated and is being paid on the basis of the correct revised pay scale and more over the pension has also been revised taking into account the revised 7th pay scale.

In such view of the matter, the learned counsel for the petitioner submits that the present writ petition may be disposed off, however, liberty be granted to the petitioner to agitate his subsisting grievances, if any. Liberty so sought is granted.



The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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