

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11748 of 2019

Binod Kumar Sinha S/o Late Ramji Prasad Resident of Village- Phulwaria,
P.O.- Barauni, P.S.- Phulwaria, District- Begusarai, Retired as Associate
Professor in the Subject of Botany, A.P.S.M. College, Barauni, District-
Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education, Department,
Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Education Department, 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, Advocate.
For the Respondent/s : Mr. Amit Bhushan, AC to GP-17
For the LNMU : Mr. Iqbal Asif Niazi, Advocate.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

17 22-12-2022 Heard Mr. Shashi Bhushan Singh, learned counsel for
the petitioner; Mr. Iqbal Asif Niazi, learned counsel for the Lalit
Narayan Mithila University and Mr. Amit Bhushan, learned AC to
GP-17 for the State.

At the outset, Mr. Singh, learned counsel for the
petitioner submits that during the pendency of the present writ



application, substantive retiral/outstanding dues have stood paid to the petitioner, except the medical allowances. It is further submitted that the petitioner is entitled to receive medical allowances in terms of the resolution dated 06.03.2019 of the Education Department, Government of Bihar, which clearly postulates that the pensioner/family pensioner shall be entitled to medical allowances at the same rate as is admissible to the employees of the State Government.

On the other hand, learned counsel for the University by referring to the averments made in the counter affidavit submits that the grievance of the petitioner has stood redressed and if he has still any grievance, he may approach to the concerned respondent authorities.

In view of the submissions made on behalf of the parties and considering the nature of the grievance, the present writ application stands disposed of with a direction to the petitioner to approach before the respondent no. 4 by filing a fresh representation with regard to the remaining grievance of the medical allowances.

It is needless to say that if such a representation is filed, the respondent no. 4 shall consider the same in terms of the resolution dated 06.03.2019 and pass a reasoned and speaking order preferably within a period of six weeks and if the claim of



the petitioner finds favour, payment must be made in the period specified.

(Harish Kumar, J)

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