

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4890 of 2018

Ashfaq Anjum Son of late H.M. Shoeb Resident of Bagmati Niwas, Azad Road Near Jail Road, Water Tank, Chandwara, Police Station Muzaffarpur Adarsh, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Vice Chancellor, Maulana Azad National Urdu University , Gochibowli, Hyderabad-50032
2. The Registrar, Maulana Azad National Urdu University, Gochibowli, Hyderabad-500032
3. The Regional Director, Maulana Azad National Urdu University, Regional Centre, Behind Idgah, Dumduma, Laheriasarai, Police Station Laheriasarai, Darbhanga.
4. The Principal, Maulana Azad National Urdu University College of Teacher Education, Chandanpatti, Laheriasarai, Darbhanga.
5. The B.R.A. Bihar University, Muzaffarpur through its Registrar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Syed Firoz Raza, Adv.
For the Respondent/s	:	Mr. Indrajesh Kumar, Adv.
		Mrs. Shyama Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

18 06-04-2022 Heard Mr. Syed Firoz Raza, learned counsel for the petitioner, Mrs. Shyama Sinha, learned counsel for the Maulana Azad National Urdu University and Mr. Indrajesh Kumar, learned counsel for the B.R.A. Bihar University.

The petitioner was initially working in the B.R.A. Bihar University as “Lecturer”. However, on lien he went to Maulana Azad National Urdu University on 11.02.2009 and remained there till 31.07.2015. Finally, the petitioner retired on 30.11.2015.



The grievance of the petitioner is that he has not been paid gratuity by the Maulana Azad National Urdu University during the period he rendered his service in the University, P.F. and pay fixation as per the 6th Pay Revision Commission.

On the other hand, learned counsel for the Maulana Azad National Urdu University submits that petitioner worked in the University till 31/7/2015 and without giving any information to the Maulana Azad National Urdu University and on the basis of extraordinary leave, earn leave, half pay leave he went and joined in his parent Department i.e. B.R.A. Bihar University. Learned counsel next submits that petitioner is not entitled to be paid gratuity and P.F. from Maulana Azad National Urdu University.

Learned counsel for the petitioner however submits that Maulana Azad National Urdu University has not decided the claim of gratuity, P.F. and pay fixation by a reasoned order therefore the Maulana Azad National Urdu University may be directed to decide the claim of the petitioner by a reasoned order in accordance with law on the representation of the petitioner.

In view of the nature of prayer made by learned counsel for the petitioner, let the petitioner file a detailed representation raising his claim regarding gratuity, P.F. and pay



fixation from Maulana Azad National Urdu University within a period of four weeks before the Registrar of the University and if such representation is filed, the Registrar, Maulana Azad National Urdu University i.e. Respondent No. 2 shall be obliged to decide the same in accordance with law by a reasoned order by giving opportunity of hearing to the petitioner within a further period of three months from the date of filing of the representation.

Needless to say that if any amount is found payable to the petitioner, the same shall be paid within a period of one month from the date of disposal of his representation by the Registrar, Maulana Azad National Urdu University.

With the aforesaid observation and direction, the writ petition stands disposed of.

(Anil Kumar Sinha, J)

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