

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1324 of 2021

Prof. (Dr.) Ramesh Prasad Singh, S/o Late Gobardhan Singh, R/o Vill. -
Nandlal Tola, Garkha Road (Nehru Chowk), P.O.- Chapra, P.S. Chapra Town,
District - Saran - 841301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Higher Education, Govt. of Bihar, Patna.
2. The B.R.A. Bihar University, Muzaffarpur through its Registrar.
3. The Vice Chancellor, J.P. University Chapra.
4. The Jai Prakash University, Chapra through its Registrar.
5. The Finance Officer, J.P. University, Chapra.
6. The Principal, Ram Jaipal, College, Chapra at Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate.
	:	Mr. Shivam Kumar, Advocate.
For the Respondent University	:	Mr. Ritesh Kumar, Advocate.
	:	Mr. Indrajesh Kumar, Advocate.
For the Respondent State	:	Mr. Sanjay Kumar, AC to GP 23.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 12-12-2022

Heard Mr. Shivam Kumar, learned counsel for the petitioner, Mr. Ritesh Kumar, learned counsel for the respondent University duly assisted by learned counsel, Mr. Indrajesh Kumar and Mr. Sanjay Kumar, learned AC to GP 23 for the State.

2. The present writ application has been filed for the following reliefs:-

*A. The respondent- J.P. University, Chapra
may kindly be directed to :-*

*(i) Ensure payment of Rs.20,00,000/- -
10,00,000/- = Rs. 10,00,000/- towards gratuity as*



remaining amount since the same is admissible w.e.f. 29.03.2018.

(ii) Group Insurance amount with 12.5 per cent up-to-date compound interest till the date of final payment.

(iii) Differential amount towards earn leave amount, as in place of the pay scale admissible to the cader of professor, the same has been extended at the pay scale of Reader only.

(iv) Differential arrears towards pay & allowance w.e.f. 31.07.1996 to 31.10.2018 as during the said period in place of extending the pay scale of professor the same has been extended while treating the petitioner in the pay scale of Reader.

(v) Differential arrears towards pension w.e.f. 31.10.2018 to 30.04.2020.

(vi) The remaining amount, admissible on account of 5th, 6th & 7th pay revision.

B. The Respondent – B.R.A. Bihar University Muzaffarpur may kindly be directed to make immediate payment of :-

(i) Differential arrears towards pay and allowance admissible prior to October 1992.

(ii) Deferred D.A. with up-to-date statutory interest till the date of final payment in view of prof. Surendra Bahadur Case reported in 2006 (3) PLJR 369.

C. Any other relief or reliefs also may kindly be allowed to the petitioner for which he be found entitle in the opinion of this Hon'ble Court.



D. The respondent also may kindly be directed to ensure payment of statutory/Panel interest over all the above said dues on account of delayed payment.

3. A counter affidavit has been filed on behalf of the respondent University and submissions have been made that during the pendency of the present writ application, all the admissible outstanding retiral dues of the petitioner have stood paid. So far the difference of arrears of salary prior to 1992 is concerned, for the said purpose a letter was sent to the concerned college to submit the necessary bill claim and the University is awaiting the response from the end of the concerned college. He fairly submitted that the said grievance of the petitioner would also be redressed within a short period of time.

4. At this juncture, learned counsel for the petitioner submits that despite his best effort, he could not able to contact his client, hence, he is not in position to apprise this court with regard to the present factual position and as such prays to disposed of the writ application with a liberty to the petitioner to approach before the authority, if still any grievance survives.

5. In view of the submissions made on behalf of the parties, the present writ application stands disposed of with a liberty to the petitioner to approach before the concerned authority, if any of the grievance still survives.



6. It is needless to say that if the petitioner would file a representation before the concerned respondent, he would be under obligation to consider the grievance of the petitioner and disposed of the same expeditiously preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

(Harish Kumar, J)

manoj/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.12.2022.
Transmission Date	NA

