

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13209 of 2019

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Nagina Sharma W/o Late Priyaranjan Pandey Resident of Mohalla Behinds of
Girls High School Kashipur Ward No.6 (Uttarayan) P.S.
Town, Dist. Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner-cum-Secretary Human Resources
Department (Higher Education) Govt. of Bihar, Patna
2. The Director, Higher Education, Govt. of Bihar, Patna
3. The Lalit Narayan Mithila University, Kameshwar Nagar Darbhanga
through its Registrar.
4. The Vice-Chancellor, Lalit Narayan Mithila University Kameshwar
Nagar, Darbhanga
5. The Finance Officer, Lalit Narayan Mithila University Kameshwar
Nagar, Darbhanga
6. The Principal, Womens, College, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate.
For the Respondent University: Mr. Shailesh Kumar, Advocate.
For the Respondent/s : Mr. Amit Bhushan, AC to GP 17.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-12-2022

Heard Mr. Ranjan Kumar, learned counsel for the
petitioner, Mr. Shailesh Kumar, learned counsel for the respondent
Lalit Narayan Mithila University and Mr. Amit Bhushan, learned
AC to GP 17 for the State.

2. The present writ has been filed seeking a direction
upon the respondent Lalit Narayan Mithila University to ensure for
payment of all the remaining retiral/outstanding dues, as has been
stated in paragraph no.1 of the writ application.



3. At the outset, Mr. Ranjan Kumar, learned counsel for the petitioner submits that during the pendency of the writ application some substantive retiral/outstanding due have paid to the petitioner, however, till date the petitioner has not been paid the amount of defferred DDA @ 9 per cent and the amount of group insuarance with intrest @ 12.5 per cent, as has been held by the learend Co-ordinate Bench of this court in CWJC No.6672 of 2019 disposed of on 06.10.2021. He further submits that the petitioner has also not been paid certain admissible amount under the earned leave.

4. He further submits that identically situated persons approached before this Court and they have been allowed the benefit of 12.5 per cent of compound interest over the delayed payment of GIC and 9 per cent 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.



5. At this juncture, Mr. Shailesh Kumar, learned counsel for the respondent University submits that if the petitioner would file a representation for the aforesaid remaining grievances, the same would be considered and necessary payment would be made in accordance with law.

6. Learned counsel for the university further submits that so far the compound interest @ 12.5 per cent over the delayed payment of GIC is concerned, the university has preferred LPA No 138 of 2022, which is pending consideration along with other analogous appeals.

7. 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).

8. 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.

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

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.12.2022.
Transmission Date	NA

