

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1426 of 2021

Dr. Arjun Jha, Son of Uma Kant Jha, Resident of Sri Vihar Colony, Power house Road, Binodpur, District- Katihar, retired as Associate Professor, Mathematics MJM College, Katihar, a Constituent Unit of Purnea University, Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Vice-Chancellor, Purnea University, Purnea.
4. The Registrar, Purnea University, Purnea.
5. The Finance Officer, Purnea University, Purnea.
6. The Principal, MJMM College, Katihar.
7. The Vice-Chancellor, B. N. Mandal University, Laloo Nagar Madhepura.
8. The Registrar, B.N. Mandal University, Laloo Nagar Madhepura.
9. The Finance Officer, B.N. Mandal University, Laloo Nagar Madhepura.
10. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
11. The Registrar, Lalit Narayan Mithila University, Darbhanga.
12. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Prasad, Advocate
For the Respondent/s	:	Mr. AC to Advocate General
For the LNMU	:	Mr. Nadim Seraj, Advocate
For BN Mandal University:		Mrs. Vandana Kishore, Advocate
For Purnea University	:	Mr. Rakesh Kumar Samarendra, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

8 13-12-2022 Heard Mr. Virendra Prasad, learned counsel for the petitioner, Mr. Rakesh Kumar Samarendra, learned counsel for Purnea University, Mr. Nadim Seraj, learned counsel for Lalit Narayan Mithila University, and Mrs. Vandana Kishore, learned counsel for B.N. Mandal University.



2. All the counsels appearing on behalf of respective Universities unanimously submit that the substantive retiral/ outstanding dues of the petitioner have stood paid and all the grievances have stood redressed.

3. A rejoinder to the counter affidavit has been filed on behalf of the petitioner and it is submitted that the petitioner has not paid the interest amount over the DDA in view of the judgment passed by this Court and further he has not been allowed the interest over the GIC amount, as required to be paid paid by the Lalit Narayan Mithila University. He further submits that certain dues have not been settled as yet, as mentioned in para.6 of the rejoinder petition. The same is quoted herein below:

6.(i) Difference of Earn leave, as payment made @ 17% D.A. whereas at the time of retirement rate of D.A. was 21%.

(ii) Interest on delayed payment.

[(i) & (ii) to be paid by Purnea University]

(iii) D.D.A payable at rate 9% interest in view of judgment reported in 2006 volume 4 PLJR, page 369.

(iv) G.I.C @ 12.5% interest [(iii) & (iv) to be paid by L.N. Mithila University]

4. Learned counsel for the petitioner also submits that the delay has occurred in ensuring payment of retiral dues and,



as such, the petitioner is also entitled to penal interest over the delayed payment in view of the order of this Court passed in various cases.

5. Considering the nature of the grievance, this Court deems it apt and proper to dispose of the writ application with a direction to the petitioner to approach before the concerned respondent authorities of the University and file a detailed representation for redressal of his grievances, which are still subsisting.

6. If such representation is filed within a period of four weeks from today, the respondent authorities shall consider the same and pass a reasoned and speaking order and if the claim of the petitioner finds favour, necessary order for payment would be passed preferably within a further period of eight weeks.

7. Accordingly, the present writ application stands disposed of with the aforesaid liberty and direction.

(Harish Kumar, J)

uday/-

U			
---	--	--	--

