

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1714 of 2021

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Kusum Devi W/O Late Sudeshwar Sahu (Ex. Assistant R.L.S.Y. College Bakhtiyarpur), resident of Nayatola, Mdhopur, P.S. - Bakhtiyarpur, District-Patna.

... .. Petitioner/s

Versus

1. The Magadh University through its Registrar, Magadh University, Bodh Gaya.
2. The Vice- Chancellor, Magadh University, Bodh Gaya.
3. The Registrar, Magadh University, Bodh Gaya.
4. The Principal, Ram Lakhan Singh Yadav college, Bakhtiyarpur, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bauye Jee Jha (B.J. Jha), Adv,
For the Respondent/s : Mr.Ritesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 16-05-2022 Heard the parties.

The case is being taken up from defect side.

Learned counsel for the petitioner is directed to submit the original petition along with attested affidavits and also remove all the defects pointed out by the Registry within two weeks from today.

The petitioner is a widow of deceased retired employee, who retired as Assistant on 31.05.2011. He expired on 11.05.2018 and the petitioner started getting family pension also.

The present writ petition has been preferred based on



a letter sent by the Principal, R.L.S.Y. College, Bakhtiyarpur, Patna dated 07.10.2017, wherein the pay fixation of 22 employees has been received and it is mentioned that the employees should be granted benefit of A.C.P. /M.A.C.P. also.

However, learned counsel admits that no teacher has been granted the benefit of A.C.P./ M.A.C.P. as on date.

This Court is of the firm view that since no one has been granted benefit of A.C.P. /M.A.C.P. and the University has not released any such amount, the entitlement itself is yet to be finalized. However, in future, if the benefit is released to the employees of the College, the petitioner's husband would also be entitled and the petitioner would be able to claim the same. At this stage the claim of the petitioner is not acceptable.

With the said observation, this writ petition is disposed of.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No.9

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