

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16809 of 2019

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Rajendra Nath Burman Son of Late S.C.Burman, Resident of Mohalla-Durga
Asthan, Colony No.1, P.S.-Katihar, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources
Department, Bihar, Patna
2. The Director, Higher Education, Bihar, Patna
3. The Incharge Officer Pay Verification Cell, Department of Education, Bihar,
Patna.
4. The B.N. Mandal University through its Registrar.
5. The Vice Chancellor, B.N. Mandal University, Madhepura.
6. The Registrar, B.N. Mandal University, Madhepura.
7. The Financial Advisor, B.N. Mandal University, Madhepura.
8. The Purnea University, Purnea through its Registrar
9. The Vice Chancellor, Purnea University, Purnea
10. The Registrar, Purnea University, Purnea
11. The Finance Officer, Purnea University, Purnea
12. The Proctor Cum-Conducting Officer, Purnea University, Purnea
13. The Principal, M.J.M., Mahila College, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tara Nath Jha, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar (GP-20)
For the Purnea university		Mr. Rakesh Kumar Samrendra, Advocate
For the B.N.Mandal University		Mr. Ritesh Kumar

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 22-12-2022 Heard Mr. Tara Nath Jha, learned counsel appearing

on behalf of the petitioner, Mr. Rakesh Kumar Samrendra,

learned counsel for Purnea University and Mr. Ritesh Kumar,

learned counsel for B.N.Mandal University.

At the outset, learned counsel for the petitioner seeks



permission to make L.N.M University as a party respondent. Mr. Nadim Seraj, learned counsel for the L.N.M University accepts the notice. The counsel for the petitioner is directed to serve copy of the writ application and supplementary affidavit to the learned counsel for the L.N.M University within two weeks.

As per the prayer made in the writ petition the petitioner seeks a direction upon the respondents to fix the pension of the petitioner and to pay the same and further for issuance of an appropriate writ/ order/direction, directing the respondents to make the payment of the gratuity amount, leave salary, GIC with compound interest and to grant the financial benefits under 1st A.C.P, under 2nd A.C.P and M.A.C.P and on such gratuity the pension and other retiral benefits/ dues be paid to the petitioner and further for also granting financial benefits of 6th pay revision on the basis of the 1st time bound promotion as granted to the petitioner w.e.f 01.03.1987 and his pension be fixed accordingly and further for issuance of an appropriate direction, directing the respondents to grant and to pay all the retiral and other benefits to the petitioner in accordance with law with interest.

Mr. Jha, learned counsel appearing on behalf of the petitioner at the outset submits that during the pendency of the



present writ application, the substantive retiral/ outstanding dues have stood paid to the petitioner. However, despite the petitioner having been superannuated on 28.02.2019 till date, the petitioner has not been paid the amount under the head of gratuity, GIC and leave salary with compound interest.

Learned counsel for the University submits that if the petitioner would file an exhaustive representation before the Registrar, Purnea University, the same would be considered and the grievance of the petitioner would be redressed and the remaining admissible/ outstanding retiral dues should be certainly paid within the appropriate time.

Considering the nature of the grievance, the present writ petition stands disposed of with direction to the petitioner to file a representation before the respondent no. 10 within a period of four weeks from today. If such a representation is filed, the respondent no. 2 shall consider the same and pass reasoned and speaking order, preferably within a further period of eight weeks.

It is needless to say that all the remaining outstanding retiral dues must be paid within the aforesaid stipulated period. This court also hopes and trust the respondent Universities (L.N.M University and B.N.Mandal University) will co-operate



in ensuring the payment of outstanding group insurance amount.

Accordingly, the present writ petition stands disposed
of with the aforesaid observation and direction.

(Harish Kumar, J)

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