

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6841 of 2019

Prof. Urmila Kumari, W/o Late Chandeshwar Prasad Singh, resident of Village and Post- Haripur, P.S.- Alauli, District- Khagaria retired as University Professor, Nalanda Mahila College, Biharsarif, Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Higher Education, Govt. of Bihar, Patna.
2. The Director Higher Education, Govt. of Bihar, Patna.
3. The Vice-Chancellor, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University, Bodh Gaya.
5. The Finance Officer, Magadh University, Bodh Gaya.
6. The Principal, Nalanda Mahila College, Biharsharif, Nalanda.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 23477 of 2018

Dr. Shyam Narayan Singh Son of Late Ram Naresh Singh Retired Professor Dept. of Physics, Magadh University, Presently residing at N-2/297-C3N, Choura Mata Mandir, Karaudi, P.S.-Sundarpur, District-Varanasi (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Magadh University through its Registrar.
3. The Vice Chancellor, Magadh University, Bodh Gaya.
4. The Registrar, Magadh University, Bodh Gaya
5. The Financial Advisor, Magadh University, Bodh Gaya.
6. The Finance Officer, Magadh University, Bodh Gaya.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 6841 of 2019)

For the Petitioner/s : Mr.Shashi Bhushan Singh
For the Respondent/s : Ms. Abhanjali, AC to G.A. 12
For the University : Md. Feriz Ahmad, Adv.

(In Civil Writ Jurisdiction Case No. 23477 of 2018)

For the Petitioner/s : Mr.Virendra Prasad
For the Respondent/s : Mr.Rajeev Ranjan, AC to G.P. 20
For the University : Mr. Arabind Nath Pandey, Adv.



CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

18 23-06-2022 The learned counsel for the Respondent University in the second case has filed a counter affidavit, which is taken on record.

The aforesaid two writ petitions have been primarily filed for grant of compound interest @ 12.5% on the group insurance amount.

The learned counsel for the petitioner as also the learned counsel for the University and the learned counsel appearing for the State have made their respective arguments and the gist of the argument made by them is that though, there does not appear to be any specific circular issued by the Magadh University for the purposes of grant of interest at the rate of 12.5%, but then a co-ordinate Bench of this Court in a judgment reported in 2006 (4) PLJR 369 (**Prof. Surendra Bahadur Singh & Ors. Vs. The State of Bihar & Ors.**), has held that compound interest @ 12.5% on the group insurance amount is required to be paid to the employees of Baba Saheb Bhim Rao Ambedkar Bihar University and in paragraph No. 18 thereof a general observation has been made with regard to applicability of the said judgment upon Magadh University and Patna University, however, neither specific case of the Magadh



University and Patna University has been dealt with nor any reason has been furnished to do so.

It has also transpired during the course of hearing of the aforesaid cases that the issue under consideration is pending adjudication before the learned Division Bench of this Court in L.P.A. No. 138 of 2022 (Ram Shankar Prasad Singh vs. The State of Bihar & Ors.).

In such view of the matter, the learned counsels for the parties have submitted that the judgment of the learned Division Bench in the aforesaid pending appeal be awaited and thereafter, the petitioners be granted liberty to approach the concerned University for redressal of their aforesaid grievances.

Accordingly, the present writ petition stands disposed of with liberty to the petitioners to approach the Vice-Chancellor, Magadh University, by filing appropriate representations, immediately upon disposal of the aforesaid L.P.A., in case a decision is rendered in favour of the petitioners whereupon, the learned Vice-chancellor shall pass appropriate orders thereon within a period of 4 weeks.

At this juncture, the learned counsel for the petitioner of the first case has submitted that some amount pertaining to medical allowance has not been paid to the petitioner, hence, he



may be granted liberty to approach the Registrar, Magadh University for redressal of the aforesaid grievance. Liberty so sought is granted and it is expected that in case the petitioner files appropriate representation within a period of four weeks from today, the same shall be disposed of within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

Tiwary/-

U			
---	--	--	--

