

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19736 of 2018

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Raghunandan Prasad Singh Son of Late Ramyesh Prasad Singh, Resident of
Mohalla- Kashipur Ward No. 13, Police Station- Town, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Higher Education, Government 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, Samastipur College, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar, Advocate
For the Respondent/s	:	Mr. Umesh Narayan Dubey, (AC to GP 27)
For the L.N.M.U.	:	Mrs. Alka Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 17-11-2022

Heard Mr. Ranjan Kumar, learned counsel appearing on behalf of the petitioner, Mrs. Alka Verma, on behalf of the Lalit Narayan Mithila University and Mr. Umesh Narayan Dubey, learned AC to GP 27.

The only grievance of the petitioner remains in the present case with regard to the payment of interest at the rate of 12.5% interest over the Group Insurance amount and further to ensure payment of Dearness Allowance as well as House Rent Allowance.



It is submitted that the petitioner superannuated on 31.07.2013 from the post of “Associate Professor (Reader)”, Department of Zoology from Samastipur College, Samastipur under Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga. He further submits that despite more than nine years of his superannuation, the full and final settlement of his retiral/outstanding dues has not been made, compelling the petitioner to move before this Court. He further submitted that discrimination has caused to the petitioner as other similarly situated person, who superannuated from different colleges and even from the same college, they have been allowed the benefit of 12.5% interest over the Group Insurance amount but so far the petitioner is concerned, he has been allowed only 8% interest. He further submitted that other employees have also been allowed the benefit of Dearness Allowance and House Rent Allowance but, till date, the petitioner has not been allowed the benefit of Dearness Allowance and House Rent Allowance. Learned counsel for the petitioner also submits that other similarly situated person, who approached before this Court by filing CWJC No. 6672 of 2019 and 7735 of 2019 they have been allowed the benefit of 12.5% interest over the Group Insurance amount and the case of the petitioner is also identical to those, who have been allowed the



benefit of interest at the rate of 12.5% over the Group Insurance amount.

A counter affidavit has been filed on behalf of the respondent University and Mrs. Verma by referring to the averments made in the counter affidavit submits that all the substantive retiral dues have stood paid to the petitioner but, so far the payment of Dearness Allowance and House Rent Allowance is concerned, as soon as fund would be allocated to the University, it would be paid to the petitioner on priority basis. She further submits that similar issue with regard to the payment of interest, is also pending before the co-ordinate Benches of this Court and the parties would be abide by the Order passed by the Hon'ble Court.

Having heard the parties and considering the grievance of the petitioner, this writ application is disposed of, with a direction to the Registrar, Lalit Narayan Mithila University to consider the case of the petitioner in the light of the Order passed by this Court in identical matter in CWJC No. 6672 of 2019 and 7735 of 2019 and if the case of the petitioner is found identical to those persons, similar relief must be given to the petitioner as has been granted to those similarly situated person. The Registrar of the University shall also consider the claim of the petitioner for payment of Dearness Allowance and House Rent Allowance and



ensure necessary payment, as early as possible, preferably within a period of eight weeks from the date of receipt/production of a copy of this Order.

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

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.11.2022.
Transmission Date	NA

