

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3442 of 2023

Shiv Vachan Singh Son of Ramdayal Singh, Resident of Village-Chakeyaz,
Ward No. 11, P.S. Mahnar, District-Vaishali, the retired Accounts Clerk,
R.P.S. College, Chekeyaj, P.O. and P.S. Mahnar, District-Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
5. The Registrar, B.R.A. Bihar University, Muzaffarpur.
6. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.
7. The Principal, R.P.S. College Chakeyaj, P.O. and P.S. Mahnar, District-Vaishali at Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
For the Respondent/s : Mr.Jitendra Kumar Roy 1 (SC 13)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-07-2023 Heard Mr. Vijay Kumar Singh, learned counsel

 appearing on behalf of the petitioner and Mr. Jitendra Kumar

 Roy 1, learned counsel for the State.

2. The present writ petition has been filed for
following relief(s) :

“For issuance of an appropriate writ in the nature
of MANDAMUS, commanding and directing the
Respondent Authorities for payment of following
retiral dues of the petitioner counting his services
from the date of his initial appointment i.e.
06.07.1980 for which he is entitled in view of his
retirement from service on 31.01.2017-



- a) Pension:
- (b) General Provident Fund
- (c) Leave Encashment
- (d) Gratuity:
- (e) Group Insurance
- (f) Other benefits for which the petitioner is legally entitled but it has not been paid to the petitioner

(II) For issuance of an appropriate writ in the nature of mandamus commanding and directing the Respondent Authorities to pay the aforesaid amount to the petitioner with interest till it is actually paid to him on the ground that for any delay caused in the payment of retirement benefits attributable to the Respondents, the petitioner cannot be made to suffer in the evening of his life.

(III) For issuance of any other appropriate writ writs order/ orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumsta of the case.”

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner has retired on 31.01.2017. However, he has not been paid G.P.F., leave encashment, group insurance along with pension and gratuity.

3. Learned counsel submits that the case of the petitioner is squarely covered by the Judgment dated 25.07.2016, passed by this Court in **C.W.J.C. No. 6476 of 2013 (Ramjee Paswan & Ors. Vrs. The Baba Saheb Bim Rao Ambedkar University & Ors.)** as well as the Judgment dated 30.08.2018, passed in **C.W.J.C. No. 6368 of 2012 (Ramanand Thakur &**



Ors. Vrs. The State of Bihar).

4. The petitioner seeks to file comprehensive representation before the Registrar of the University.

5. The Registrar of the University must dispose of the representation after giving proper opportunity of hearing to the petitioner and at the same time considering the records relating to the petitioner pass final order. In case, it is found that to any similarly situated employee, payment has been made, the petitioner must be given the same benefit forthwith.

6. The representation of the petitioner is directed to be considered and disposed of within a period of six weeks. The petitioner is also entitled to statutory interest on account of delay payment.

7. The writ petition stands disposed of.

(Purnendu Singh, J)

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