

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5155 of 2019

Dr. Gopal Prasad Arya son of Late Kanhaiya Lal Arya R/o Mohalla- East
Chitragupta Nagar, P.O.- Lohianagar, P.S.- Patrakarnagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Commissioner cum Secretary,
(Higher Education) Human Resources Development Department,
Government of Bihar, Patna.
2. The B.R.A. Bihar University Muzaffarpur through its Registrar.
3. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
4. The Jai Prakash University through its Registrar.
5. The Vice Chancellor, Jai Prakash University Chapra,
6. The Principal Raja Singh College Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha, GP-27
For J.P. University	:	Mr. Ritesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 08-12-2023 The petitioner superannuated on 31.10.2018 from the

post of Associate Professor (Psychology), Raja Singh College,

Siwan, a unit of J.P. University, Chapra filed the present writ

petition seeking a direction upon the respondent to ensure the

following reliefs:-

*A) The respondent J.P. University Chhapra may
kindly be directed to ensure immediate payment
of;*

*i) Pension w.e.f. 1.12.2018 on the last pay
drawn,*

*ii) Gratuity amount of Rupees 10 lakh, 20 lakh
(in view of 7th P.V.C. U.G.C. scheme admissible*



w.e.f. 1.1.2016) while adding statutory interest on the ground of delayed payment after due verification/fixation if so required.

iii) Earned leave amount for 300 days.

iv) Group insurance amount with 12.5% compound interest till the date of final payment.

v) The provident fund amount with upto a statutory interest till the date of final payment.

vi) The differential pay under and the arrear towards allowances admissible under the 5th, 6th and 7th pay revision scheme.

B) The respondents B.R.A, Bihar University also may kindly be directed to ensure immediate payment of -

i) Differential arrear allowances November of pay admissible prior 1992 & to (i.e. before creation of the J.P. University Chapra) in view of the Hon'ble Court's decision reported in 2000 (3) PLJR 744.

ii) Deferred D.A. and Group Insurance amount with upto date statutory interest till the date of final payment in view of the Hon'ble Court's order reported in 2006 (4) PLJR 369. upheld upto the Hon'ble Apex court.

C) Any other relief of reliefs kindly may petitioner be allowed for which he be found entitle in the opinion of this Hon'ble Court apart from the petition.

2. During the pendency of writ petition substantive
retiral benefits and other dues have been paid to the petitioner
and thus, a supplementary affidavit has been filed on behalf of



the petitioner stating therein that the petitioner has not been allowed the benefit of enhanced gratuity to the tune of Rupees Ten Lakhs and further the less amount of group insurance to the tune of Rs. 1,15,841/-.

3. Mr. Ritesh Kumar, learned counsel for the university in response to the supplementary affidavit filed a counter affidavit and referring to the averments made therein, he submits at the Bar that the admissible gratuity amount to the tune of Rupees Ten Lakh, in view of 7th P.V.C.U.G.C. scheme admissible with effect from 01.04.2017 have been accorded to the petitioner.

4. He submits that so far the remaining amount to the tune of Rs. 1,15,841/- is concerned, the same shall be paid to the petitioner preferably within a period of 4 weeks. The aforesaid counter affidavit has been filed way back on 21.01.2023.

5. Considering the materials available on record and the submission advanced on behalf of the learned counsel for the university, the writ petition stands disposed off with a direction to the Registrar, J.P. University to ensure the payment of the remaining G.I.C., preferably within a period of 4 weeks from today. This disposes the writ petition.



6. Needless to observe that if there is still any grievance with regard to any other benefits, the petitioner is at liberty to approach before the concerned authority.

(Harish Kumar, J)

supratim/-

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