

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10536 of 2021

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Raghvesh Mishra S/o Late Baidyanath Mishra, Resident of Lohiya Nagar,
Panhans Ward No. 28, District- Begusarai, retired as Associate Professor in
the subject of philosophy, G.D. College Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Higher Education, Govt. of Bihar, New Secretariat, Patna.
4. The Vice Chancellor, L.N. Mithila University, Darbhanga.
5. The Registrar, L.N. Mithila University, Darbhanga.
6. The Finance Officer, L.N. Mithila University, Darbhanga.
7. The Principal, G.D. College, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mr.Rajesh Kumar Singh, AC to GP 23
For the University	:	Mr.Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 12-05-2023 Heard Mr. Shashi Bhushan Singh, learned counsel

 appearing on behalf of the petitioner, Mr. Rajesh Kumar Singh,

 learned AC to learned GP 23 for the State and Md. Nadim Seraj,

 learned counsel for the University.

2. The petitioner has prayed for following relief(s) : -

“(i) Arrears of pension in view of revised UGC scale effective from 1.1.2016 which has been revised in view of resolution No. 15/M.1-20/2018-591 dated 06.03.2019.

(ii) Rest amount of Gratuity in view of Sub Clause -IV of Clause 7 of resolution No. 592 dated



06.03.2019 by which upper limit of gratuity has been enhanced to Rs. 20 lacs.

(iii) Rest amount of earn leave in view of revised pay point effective from 1.1.2016.

(iv) Amount of Group Insurance @ 12.5% compound interest till the date of payment like other employees in view of judgment reported in 2006 Vol-IV PLJR page 369.

(v) Amount of D.D.A @ 9% compound interest till the date of payment like other employees in view of judgment reported in 2006 Vol-IV PLJR page 369.

(vi) Amount of delayed payment.”

3. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner has already represented before the authority concerned and the claim of the petitioner has been forwarded by the Principal of the concerned College and the delay in making payment is being caused by the Registrar of the University.

4. Learned counsel appearing on behalf of the University informs this Court that immediate steps will be taken by the Registrar of the University to disburse all the dues as claimed by the petitioner within a period of three weeks in spite of the fact that the University is stressed due to non-availability of fund.

5. The Vice-Chancellor, the Registrar and the



Finance Officer of L.N. Mithila University, Darbhanga, must ensure to comply with the direction of this Court contained in ***CWJC No. 6852 of 2021 (Lilawati Mishra vs. The State of Bihar & Ors.)*** by facilitating speedy redressal of the genuine grievance and prevent unnecessary litigation.

6. The Vice Chancellor and the Registrar of the University are required to personally approach the Additional Chief Secretary, Higher Education Department, Government of Bihar, who will at least ensure disbursal of fund, which is required by the University for the payment to be made to the petitioner.

7. Entire admissible dues on account of retiral benefit must be paid to the petitioner after examining his claim within a period of three weeks.

8. In case, the order is not complied with, the petitioner may file an application for initiating a proceeding of contempt for willful disobedience of this order.

9. Mr. Rajesh Kumar Singh, learned AC to GP 23 must ensure to communicate this order to the Additional Chief Secretary, Education Department, Government of Bihar and the Additional Chief Secretary, Finance Department, Government of Bihar and they will ensure compliance of this order.



10. With the above observation/direction, the present writ petition is allowed.

(Purnendu Singh, J)

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