

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6833 of 2022

Amar Nath Jha, Son of Late Shiv Kant Jha Resident of Village- Godhiya,
Police Station- Sadar, Darbhanga, District- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Higher Education, Education Department, Government of Bihar, Patna.
4. Kameshwar Singh Darbhanga Sanskrit University through its Vice Chancellor, Kameshwar Nagar, Darbhanga.
5. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.
6. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

... .. Respondent

Appearance :

For the Petitioner/s	:	Mr. Satish Chandra Jha 3, Advocate Mr. Shambhoo Kumar Suman, Advocate
For the University	:	Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha, G.P. 27

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 04-07-2023

Heard Mr. Satish Chandra Jha, learned counsel
appearing on behalf of petitioner, Mr. Deepak Kumar, learned
counsel appearing on behalf of University and Mr. Prabhakar
Jha, learned G.P.27 for the State.

2. In the present writ petition, the petitioner has
prayed for following reliefs:-

“(i) To direct the respondents to make payment all due retiral benefits along with suitable interest thereon in terms of fixation made by the competent authority vide fixation date 09.06.2018 along with suitable interest thereon because father of the petitioner Late Shiv Kant Jha, retired as Professor, Post Graduate, Kameshwar Singh Sanskrit University, Kameshwar Nagar, Darbhanga (in short K.S.D.S) on 11.05.1995 and he died on



21.10.2020, however in his life time, due pensionary benefits in proper revised scale was not paid, for which respondents are solely responsible.

(ii) To direct the respondents to make payment all due difference of salary, along with suitable interest thereon, because there was/ is no latches on the part of father of the petitioner or on the part of the petitioner; who has been continuously approaching the respondents for redressal of legal grievances, but to no avail.

(iii) That the Hon'ble Court may be pleased to grant any other reliefs, as this Hon'ble Court may think it proper in the present facts and circumstances of this case."

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 in spite of the said fact the delay in making payment is being caused due to the inaction on the part of 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 four weeks in spite of the fact that the University is stressed with non-availability of sufficient fund.

5. The Vice-Chancellor, Registrar and Finance Officer of the Kameshwar Singh Darbhanga Sanskrit 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 four 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. With the above observation/direction, the present writ petition is allowed.

(Purnendu Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.07.2023
Transmission Date	

