

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6317 of 2023

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Dilip Kumar Singh Son of Kedar Singh Resident of Village- Bagha Khal Urf Nabipur, P.S. Gaighat, District- Muzaffarpur, the retired Lower Division Clerk, Rameshwar College, Muzaffarpur.

... .. 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, Rameshwar College, Muzaffarpur, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the State	:	Mrs. Binita Singh (SC-28)
For the University	:	Mr. Binay Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 08-08-2023

Heard Mr. Vijay Kumar Singh, learned counsel appearing on behalf of the petitioner, Mrs. Binita Singh, learned SC-28 appearing on behalf of the State and Mr. Binay Kumar Singh, learned counsel for the B.R.A. Bihar University, Muzaffarpur.

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.*



15.01.1980 for which he is entitled in view of his retirement from service on 31.08.2018:-

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 circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner has retired on 31.08.2018. However, he has not been paid G.P.F., leave encashment, group insurance along with pension and gratuity.

4. 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).***

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

6. The Registrar of the University must dispose of the representation after giving proper opportunity of hearing and on the consideration of records relating to the petitioner pass final order in terms of the judgment/orders relied by the petitioner. In case, it is found that in case of any similarly situated employee, payments have been made, the petitioner must be given the same benefit forthwith.

7. The representation of the petitioner is directed to be considered and disposed of in accordance with law and payments, if admissible, be made along with statutory interest on account of delay payment within six weeks.

8. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/Nilmani

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.08.2023
Transmission Date	NA

