

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7041 of 2023

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Rampati Devi Wife of Ram Ekbal Ray, resident of village - Pakari Ismile,
P.O. Ladaura, P.S. Muzaffarpur Sadar, District - Muzaffarpur, the retired Maid
Servant, P.G. Girls Hostel, B.R.A Bihar University, 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.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the State	:	Mr. Hitesh Suman, AC to SC-13
For the University	:	Mr. Indrajesh Kumar, 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, Mr. Hitesh Suman, learned
AC to SC-13 appearing on behalf of the State and Mr. Indrajesh
Kumar, 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.
14.01.1985 for which he is entitled in view of his*



retirement from service on 31.01.2020:-

*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 had retired on 31.01.2020. However, he has not been paid G.P.F., leave encashment, group insurance etc. 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	N/A
Uploading Date	09.08.2023
Transmission Date	N/A

