

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8274 of 2023

Md. Angej Son of Late Md. Mobinuddin, Resident of Mohalla- Khajepur, Sadpura, Ward No. 34, P.S. Kazi Mohammadpur, District- Muzaffarpur, the retired Daftari, Registration Section, B.R.A. Bihar University, Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief 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

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate Mr. Abhinav Shandilya, Advocate
For the University	:	Mr. Satyendra Narayan Singh, Advocate
For the State	:	Mr. Madanjeet Kumar (GP-20)

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. Satyendra Narayan Singh, learned counsel appearing on behalf of the B.R.A. Bihar University, Muzaffarpur and Mr. Madanjeet Kumar, learned GP-20 for the State.

2. The writ petition under consideration 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. 16.10.1982 for which he is entitled in view of his retirement from service on 31.01.2023:-

- (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 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 31.01.2023. 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. With above observation and direction, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/Nilmani

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10.08.2023
Transmission Date	N/A

