

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9090 of 2022

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Ashok Kumar Singh, Son of Late Madan Singh Resident of House No.-
12/64, Ujjain Market, Jayprakash Nagar, P.S.- Siwan City, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Education Department, Govt. of Bihar, Patna.
2. The Secretary Higher Education, Govt. of Bihar, Patna.
3. The B.R.A. Bihar University Muzaffarpur through its Vice Chancellor, Muzaffarpur.
4. The Registrar B.R.A. Bihar University Muzaffarpur.
5. The J.P. University, Chapra through its Vice Chancellor, Saran at Chapra.
6. The Registrar J.P. University, Saran at Chapra.
7. The Principal Narayan College, Goriakothi, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arbind Kumar Singh, Advocate.
For the State	:	Mr. Ram Vinay Prasad Singh, AC to GA-12.
For JP University	:	Mr. Ritesh Kumar, Advocate.
For BRA University	:	Mr. Indrajesh Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-04-2023 Heard Mr. Arbind Kumar Singh, learned counsel appearing on behalf of the petitioner; Mr. Ram Vinay Prasad Singh, learned AC to GA-12 for the State; Mr. Ritesh Kumar, learned counsel for the JP University and Mr. Indrajesh Kumar, learned counsel for the BRA Bihar University.

2. This case has been listed on urgent basis on the motion made by the learned counsel appearing on behalf of the petitioner. The petitioner who is the employee of Jai Prakash University, Saran at Chapra is aggrieved for non-payment of his retiral benefits on account of following heads:

(i) Group Insurance amount with 12.5%



compound interest till the date of payment.

(ii) Rs. 10,00,000 (20,00,000, 10,00,000/- towards surviving dues of the gratuity (admissible w.e.f. 29.03.2018 in view of payment of the gratuity act.

(iii) Differential arrear towards pay pension earned leave amount etc on 6th cum 7th pay revision from respective dates of entitlement.

(iv) Rs. 76,000/- kindly be refunded, which is said to be recovered unilaterally as Examination advances.

(v) House rent allowance, medical allowance etc. at par with the Government employees.

(vi) Leave encashment as per 7th pay scale.

(vii) After Ph.D pay scale enhances dues as per 7th pay scale.

(viii) Differential arrear towards pay and allowance admissible prior to October 1992.

(ix) Deferred D.A. with up to date statutory interest till the date of final payment in view of Prof. Surendra Bahadur case reported in 2006 (3) PLJR 369.

3. Considering the specific prayer made in the writ petition, petitioner, if so advised, may approach the Registrar of the Jai Prakash University, Saran at Chapra and B.R.A. Bihar University, Muzaffarpur who will ensure payment of all the retiral dues including pension of the petitioner within a period of six weeks.

4. With the above observation, the writ petition stands allowed.

(Purnendu Singh, J)

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