

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8300 of 2023

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Dr. Sharmistha Mukhopadhyay @ Dr. Sharmishtha Mukhopadhyay @
Sharmishtha Banerjee Mukhopadhyay Wife of Late Subrato Kumar Banerjee,
Resident of Top Flor-1, Janseva Apartment, Malahi Pakari, Police Station-
Kankarbagh, District- Patna- 800020 (Retired Associate Professor of
Chemistry, S.S. College, Jahenabad Under Magadh University).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Magadh University, Bodh Gaya, District- Gaya, through its Vice Chancellor.
3. The Registrar, Magadh University, Bodh Gaya.
4. The Financial Officer, Magadh University, Bodh Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Maya Nand Jha, Sr. Adv., Mr. Nagendra Kumar, Adv.
For the State	:	Mr. Madhaw Pd. Yadaw (Gp23), Mr. Rajesh Kumar Sinha, AC to GP-23
For University	:	Mr. Pankaj Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL JUDGMENT

Date : 19-09-2023

Heard Mr. Dr. Maya Nand Jha and Mr. Nagendra Kumar, learned counsels appearing on behalf of the petitioner, Mr. Madhaw Pd. Yadaw and Mr. Rajesh Kumar Sinha, learned counsels appearing on behalf of the State and Mr. Mr. Pankaj Kumar Singh, learned counsel appearing on behalf of the University.



2. Learned counsel appearing on behalf of the petitioner informs that substantive part of the retiral dues, as claimed for in the present writ petition, has been paid to the petitioner. However, gratuity and leave encashment for which the petitioner is entitled are still dues.

3. Learned counsel appearing on behalf of the Magadh University informs this Court that Vice-Chancellor of the University has himself endeavour to talk to the Additional Chief Secretary, Education Department, Government of Bihar on his instruction. The Director, Higher Education, Government of Bihar has ensured that forthwith the funds will be made available as required by the Magadh University.

4. Considering the aforesaid submissions made by the parties, the petitioner if so desire, may file representation before the Registrar, Magadh University.

5. The Registrar, Magadh University is directed to ensure payment of gratuity and leave encashment to the petitioner within a period of three weeks immediately the funds are made available to the University.

6. The Additional Chief Secretary, Education Department, Government of Bihar must not abide by his



responsibility and ensure to make available funds which are required by the University.

7. With the above observation and direction the writ petition stands disposed of.

(Purnendu Singh, J)

pravinkumar/-

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

