

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14726 of 2021

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Dilip Kumar Mishra S/o Late Ram Nandan Mishra, resident of Chandauna, P.S. Chandauna, District-Darbhanga, retired as UDC from M.K.S. College, Trimuhan, Chandauna, Darbhanga, a constituent unit of L.N. Mithila University, Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.
6. The Principal, M.K.S. College, Trimuhan, Chandauna, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mrs. Binita Singh (SC-28)
		Mr. Md. Nadim Seraj, Advocate
		Mrs. Alka Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 10-05-2023 Heard Mr. Shashi Bhushan Singh, learned counsel appearing on behalf of the petitioner and Mrs. Binita Singh, learned SC-28 for the respondents.

2. Learned counsel appearing on behalf of the petitioner submitted that he has filed the present writ petition for following relief(s) as concluded in paragraph no. 17 of the writ petition, which inter alia is as follows:

“That though the pension has been fixed but petitioner has not been paid the following dues:.



(i) *Arrear of Pension and monthly pension.*

(ii) *Amount of Gratuity.*

(iii) *Amount of earn leave as per leave account made available to the University.*

(iv) *Amount of Group Insurance 12.5% compound interest till the date of payment like other employees in view of judgment reported in 2006 Vol-IV PLJR page 369.*

(v) *Difference of salary w.e.f. 1.1.1996 to 31.3.2020."*

3. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner has already represented before the authority concerned and the claim of the petitioner has been forwarded by the Principal of the concerned college and the delay in making payment is being caused by the Registrar of the University.

4. Learned counsel appearing on behalf of the University informs this Court that immediate steps will be taken by the Registrar of the University to disburse all the dues as claimed by the petitioner within a period of three weeks in spite of the fact that the University is stressed due to non-availability of fund.

5. The Vice-Chancellor, Registrar and Finance Officer of L.N. Mithila University, Darbhanga, must ensure to comply with the direction of this Court contained in ***CWJC No. 6852 of 2021 (Lilawati Mishra vs. The State of Bihar & Ors.)*** by



facilitating speedy redressal of the genuine grievance and prevent unnecessary litigation.

6. The Vice Chancellor and the Registrar of the University are required to personally approach the Additional Chief Secretary, Higher Education Department, Government of Bihar, who will at least ensure disbursal of fund, which is required by the University for the payment to be made to the petitioner.

7. Entire admissible dues on account of retiral benefit must be paid to the petitioner after examining his claim within a period of three weeks.

8. In case, the order is not complied with, the petitioner may file an application for initiating a proceeding of contempt for willful disobedience of this order.

9. With the above observation/direction, the present writ petition is allowed.

(Purnendu Singh, J)

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