

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11661 of 2022

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Kusum Devi W/o Late Ramadhar Singh Resident of Village- Silar, Police Station- Aurangabad, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
2. The Vice Chancellor, Magadh University, Bodh Gaya, Gaya.
3. The Registrar, Magadh University, Bodh Gaya, Gaya.
4. The Finance Officer, Magadh University, Bodh Gaya, Gaya.
5. The Principal, Kishori Sinha Mahila College, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vyas Kumar Mishra, Adv.
For the State	:	Mr. Madhaw Prasad Yadav (GP 23).
For the University	:	Mr. Pratik Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 06-01-2023 Heard Mr. Vyas Kumar Mishra, learned counsel for the petitioner, Mr. Madhaw Prasad Yadav, learned GP-23 for the State and Mr. Pratik Kumar Sinha, learned counsel for the University.

Learned counsel for the petitioner submits that by way of filing counter affidavit, it has been submitted by the University that fund towards pensionary benefit has been released except 25% amount of gratuity as mentioned in the counter affidavit but according to the petitioner the said amount has not been received in the account of petitioner as informed by his client today itself.

Learned counsel for the University submits that all the amounts as mentioned in the counter affidavit under the different headings i.e. benefit of gratuity, group insurance, earn leave, fixation of pay for which calculation has also been shown has been directed to pay in the account of petitioner. According to him, he has verified from the University and University has informed that the payment has to be made through Bank only, if not paid today, then it shall definitely be paid within couple of days.

Learned counsel for the University submits that there is only one thing due i.e. 25% revised amount of gratuity which shall also be paid soon after Pay Verification Committee report.

In the light of the submissions made above, this writ application is disposed of directing the University that the University shall ensure the payment of petitioner as mentioned in the counter affidavit within 7 days from the date of passing this order.

If the said amount shall not come in the account of petitioner within 7 days, University shall be liable to pay 9% interest thereon.

The liberty is hereby given to the petitioner that he shall make representation soon after report of the Pay

Verification Committee report about the rest 25% of gratuity amount before the University. If University shall not pay the said amount within 60 days from the Pay Verification Committee report, University shall be liable to pay 9% interest thereon.

With this direction, the present writ application is hereby disposed off.

(Dr. Anshuman, J.)

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