

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12010 of 2022

=====

Ajit Kumar Singh Son of Late Kailash Singh Resident of Village-Chak-Fatah,
P.O.-Kajari Buzurg, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Vikash Bhawan, Patna.
3. Jai Prakash University, Chapra, through its Registrar.
4. The Vice-Chancellor, Jai Prakash University, Chapra.
5. The Registrar, Jai Prakash University, Chapra.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shubh Narain Singh, Advocate
For the State	:	Mr. Arvind Kumar, AC to GP-23
For the University	:	Mr. Ashhar Mustafa, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 10-05-2023

Heard Mr. Shubh Narain Singh, learned counsel appearing on behalf of the petitioner, Mr. Arvind Kumar, learned AC to learned GP-23 and Mr. Ashhar Mustafa, learned counsel appearing on behalf of the University.

2. The petitioner, who had retired from the post of reader on 31.03.2019 has filed the present writ petition for following relief(s):

*“1. That this is an application for issuance of appropriate writ(s), direction(s), to the respondents for the following reliefs:-
(i) For command and directing the respondents for payment of retirement*



benefits and other consequential benefits attached to the post like (i) Group Insurance with 12^{1/2}% compound interest amounting to Rs. 40,2752/-.”

3. Learned counsel informs that Rs. 3,27,714/- has been withheld without giving notice to the petitioner on the recommendation of the State Government to the University. He submits that the University could only detect the incorrect calculation in fixing the pension of the petitioner after delay of nearly three years. He submits that any recovery on account of incorrect calculation is required to be made within a short span of time either a month before the retirement or after the superannuation of an employee. The Group Insurance has not been paid to the petitioner. Learned counsel appearing on behalf of the petitioner informs this Court that other retiral dues have already been paid.

4. Learned counsel appearing on behalf of the University informs this Court that petitioner has also filed CWJC No. 15459 of 2022, in which he has claimed difference of salary for the period 01.10.2006 to April, 2015 against recovery of Rs. 3,27,714/- from the petitioner.

5. The petitioner, if so advised, he may file representation before the Registrar of the University which is



required to be disposed of with a reasoned order and the dues amount, if any, are required to be paid to the petitioner within six weeks from filing of the representation of the petitioner.

6. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	18.05.2023
Transmission Date	N/A

