

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10834 of 2023

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Pramod Kumar Son of Shri Vishwanath Prasad Singh, Resident of village-
Dubiyahi, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Bihar, Patna.
3. The Vice Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
4. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur.
5. The Finance Officer, B.R. Ambedkar Bihar University, Muzaffarpur.
6. The Principal, Ram Briksh Benipuri Mahila College Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the State	:	Mr. Sanjay Kumar, AC to GP-23
For the University	:	Mr. Mritunjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 12-09-2023

Heard Mr. Shashi Bhushan Singh, learned counsel appearing on behalf of the petitioner; Mr. Sanjay Kumar, learned AC to GP-23 appearing on behalf of the State and Mr. Mritunjay Kumar, learned counsel appearing on behalf of the University.

2. The petitioner is aggrieved by the communication made vide Memo No. 1728-29 dated 08.04.2023 to the Branch Manager, State Bank of India by the Registrar of the University, in which the amount of pension of

the petitioner has been reduced unilaterally, without giving any opportunity to the petitioner and giving reasons for the same. The petitioner has simply been communicated and a copy of letter has also be issued to him.

3. Considering the illegal action of the Registrar of the University by unilaterally reducing the pension of the petitioner, without serving him show cause to explain, the communication made vide Memo No. 1728-29 dated 08.04.2023, to the Branch Manager, State Bank of India as contained in Annexure-9, is rendered inoperative by this Court and in the meantime the petitioner may file a detailed representation before the Vice Chancellor/Registrar of the University, so that they may take steps to make payment of due pension in accordance with law within a period of four weeks from the date of communication of this order or in alternative if pension as claimed is not payable, they are required to assign reason as to why petitioner should face penal consequences without any opportunity of hearing.

4. In the meantime, the Registrar is required to comply with the direction passed vide order dated 21.08.2018 passed in CWJC No. 22745 of 2013. The above exercise for payment of pension is directed to be paid within a period of two weeks from the date of communication of this order.

5. With the above observations and directions, the present writ petition stands disposed of.

(Purnendu Singh, J)

Minu/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.09.2023
Transmission Date	