

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11570 of 2023

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Sheo Narain Jamuar S/o Late Sukhdeo Narain Retired Professor and Head of Department of Zoology, R.D. and D.J. College, Munger, Resident of Mohalla-Madhopur, P.O.-Basudeopur, P.S.-Kotwali, District-Munger (Bihar).

... .. Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University through the Vice Chancellor.
2. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. The Principal, R.D. and D.J. College, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Radha Raman Verma, Advocate
For the Respondent/s : Mr. Ashhar Mustafa, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 18-09-2023

Heard Mr. Radha Raman Verma, learned counsel

appearing on behalf of the petitioner and Mr. Ashhar Mustafa,

learned counsel appearing on behalf of the State.

2. The petitioner has sought for following reliefs in

the present writ petition:

“1. For issuance of an appropriate writ in seeking a ‘Mandamus’ commanding the Respondents to pay the arrears of difference of pension w.e.f. 01.04.2017 to 28.02.2022 in the revised pay scale on the basis of recommendations of the seventh central pay commission (VIIth C.P.C) Revision of pension of Pre-2016 pensioners in pursuance of Government’s decision the employees a pensioners who retired/died before on 31.12.2015 or on after 01.01.2016 because entitled for pension with



effect from 01.01.2016.

II. For issuance of an appropriate writ commanding the Respondents to pay the arrears of Additional Quantum of Pension payable to the petitioner on the basis of age 88 years old as pensioners (from 80 years to less than 85 years 20% of Revised basic pension as Additional quantum of pension available to the old pensioners is always increased as and when they attain a certain age i.e. from 85 years to less than 90 years the additional quantum of pension 30% of basic pension increased. The additional quantum of pension is being paid at different rates than the rates approved by the Government of India. The pensioners are eligible after attaining the certain age of 80 to 100 years pension is payable to pensioners increased as and when they attain a certain age i.e. from 80 to 100 years (i) 20% (ii) 30% 40% 50% of revised basic pension and from 100 years or more age 100% of revised basic pension as additional quantum is/are available to the pensioners on the basis of attaining a certain age.

This is known as additional pension and pensioners are eligible after attaining the age of 80 years. On attaining the age of 80 years an additional pension/family pension is payable to the pensioners (both) covered under CCS (pension) Rule 1972 from the 1st day of the month in which the date of birth falls. Petitioner completed attaining the age of 80 years on 03.01.2015 and 85 years on 03.01.2020. Revised basic pension as Additional quantum of pension of the petitioner is still due to the University.

III. For grant of any other relief/reliefs to which the petitioner is entitled under law as well facts and circumstances of the case for ends of justice.”



3. Considering the statement made in the relief claimed in the present writ petition as well as the submission made in the Annexure-3 and in light of CCS (pension) Rule 1972, the petitioner is entitled for amount of pension after attaining age of 80 years and 85 years. Petitioner has completed age of 80 years on 03.01.2015 and 85 years on 03.01.2020.

4. The Registrar is directed to consider the claim of the petitioner as claimed for in the present writ petition by considering the service record of the petitioner and circulars adopted by the University in this regard and make payment of enhanced pension at the admissible rate within a period of six 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	20.09.2023
Transmission Date	

