

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15169 of 2022

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Maya Mishra, Wife of Late Pandit Siddhnath Mishra @ Siddhnath Mishra,
Resident of Mohalla- Kali Mandir, Pachhati, Bodh Gaya, P.S. Bodh Gaya,
District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Kameshwar Singh Darbhanga Sanskrit University Kameshwar Nagar,
Darbhanga through its Registrar.
3. The Vice-Chancellor of Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.
4. The Registrar, Kameshwar Singh Darbhanga Sanskrit University,
Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University
Kameshwar Nagar, Darbhanga.
6. The Governing Body of Sri Mahanth Satanand Giri Harihar Sanskrit
College, Bodh Gaya through its Secretary.
7. The Principal of Sri Mahanth Satanand Giri Harihar Sanskrit College, Bodh
Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Jha, Advocate
For the Respondent/s	:	Mr. Subhash Chandra Mishra, SC-16 Mr. Madhukar Mishra, AC to SC-16
For the University	:	Mr. Deepak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-12-2023

Heard Mr. Sanjeev Kumar Jha, learned counsel
for the petitioner and Mr. Deepak Kumar, learned counsel for
the Kameshwar Singh Darbhanga Sanskrit University. The State
is represented by Mr. Madhukar Mishra, learned AC to SC-16.



2. The petitioner is a hapless widow of late Pandit Siddhnath Mishra @ Siddhnath Mishra, who died in harness on 22.10.2014, while working as Assistant Professor in Sri Harihar Sanskrit Mahavidyalaya Bodha Gaya (Gaya), filed the present writ petition for the following reliefs:

“(i). For issuance of direction to the concern respondents after considering the letter vide memo no. B.S.U -47/2013-93 (G.S.I) Patna dated 15.1.2014 issued from the office of Hon'ble Chancellor of the universities of Bihar, the retiral benefits under the heading of pension, gratuity, provident funds, leave encashment and others which come under the scheme of triple benefits would be granted to the husband of petitioner namely Late Siddhnath Mishra after considering his long service length about 39 years as performing his service as an Assistant Professor in Viyakaran department of the Mahanth Satanand Giri Harihar Sanskrit College Bodh Gaya which is affiliated finance added unit of Kameshwar Singh Darbhanga Sanskrit University, Kameshwar Nagar, Darbhanga.

(ii). For issuance to direction to the authorities concern to fix the family pension of the petitioner after giving benefits of proper promotion to her husband namely Siddhnath Mishra as per provision of



the B.S.U Act immediately for the survival of her life.

(iii). For issuance of direction to the authority concern to quickly ensure the payment of family pension to the petitioner from month to month basis for which she is entitlement as per policy decision of the Govt. of Bihar as well as the statutory provision of the B.S.U Act after considering her critical condition due to suffering from cronical disease like hearth etc.”

3. It is submitted on behalf of the petitioner that irrespective of the fact that the husband of the petitioner died on 22.10.2014, till date the petitioner has not been allowed the terminal dues of her deceased husband, compelling her to approach this Court.

4. In course of argument, it is submitted that one Arjun Mishra, who was also holding the similar post of Assistant Professor in the College, in question, has been allowed all the benefits pursuant to the order of the learned coordinate Bench of this Court in C.W.J.C. No. 3091 of 2023, disposed of vide order dated 18.07.2023.

5. Learned counsel for the petitioner, thus, submits that if the writ petition of the petitioner stands disposed of in similar terms, as has been disposed of in the case of Arjun



Mishra (C.W.J.C. No. 3091 of 2023), he would be satisfied.

6. The aforesaid assertions made at the bar has not been refuted by the learned counsel for the University.

7. In view thereof, the present writ petition stands disposed of in terms of the order dated 18.07.2023, passed in C.W.J.C. No. 3091 of 2023. The operative portion of which reads as follows:

“6. The petitioner, if so advised, may file a detailed representation before the Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga by adducing all the relevant evidences in support of his claim.

7. The Registrar, Kameshwar Singh Darbhanga Sanskrit University, Darbhanga is directed to pass a reasoned order considering the representation of the petitioner and hold that as to whether the petitioner is entitled to the claim as made in the present writ petition within a period of six weeks. If the petitioner is found to be entitled for his claim as sought in the present writ petition, the same is required to be paid to the petitioner not beyond a further period of two weeks.

8. It goes without saying that petitioner is also entitled for interest on delayed payment.”



8. This disposes the writ petition.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.12.2023
Transmission Date	NA

