

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.163 of 2023

Suresh Kumar Singh, Son of Late Ram Rajiv Singh, Resident of Village-Shambhua, Post Office- Dalsing Sarai, Police Station- Dalsing Sarai, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner-cum-Secretary, Human Resources Department (Higher Education) Govt. of Bihar, Patna.
2. Director, Higher Education, Govt. of Bihar, Patna.
3. The Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga through its Registrar.
4. The Vice-Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Finance Advisor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
7. The Principal, R.B.S. College, Andaur, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar, Advocate.
For the State	:	Mr. Madanjeet Kumar, GP-20.
		Mr. Rajeev Ranjan, learned AC to GP-20.
For the University	:	Mr. Md. Nadim Seraj, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-04-2023 Heard Mr. Ranjan Kumar, learned counsel appearing on behalf of the petitioner; Mr. Madanjeet Kumar, learned GP-20 assisted by Mr. Rajeev Ranjan, learned AC to GP-20 for the State and Mr. Md. Nadim Seraj, learned counsel for the Lalit Narayan Mithila University.

2. Petitioner is aggrieved by the terms and conditions of the letter contained in Memo No. SC/145/21 dated



27.02.2021 issued by the Registrar, Lalit Narayan Mithila University. The relevant content of the letter is, *inter alia*, reproduced as follows:-

*“With reference to the college letter dated 11.01.2021 on the subject cited above, I am directed to inform that the Vice-Chancellor after considering the issue, has been pleased to allow Sri Suresh Kumar Singh, Asstt. Professor, Deptt. of Zoology to resume his duties in the college as such with immediate effect. Sri Singh may be allowed to join the college accordingly and classes be allotted to him. **The absence period from the date of pre-mature retirement to the date of fresh joining shall be decided later on.**”*

3. Learned counsel appearing on behalf of the petitioner submitted that the absence period from the date of pre-mature retirement to the date of fresh joining was directed to be decided later on. The petitioner retired on 30.06.2021 as Assistant Professor, Department of Zoology from R.B.S. College, Andaur, Samastipur under Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga and the period during which he remained absent is from April 2020 to February, 2021. Learned counsel further informed this Court that the age of retirement of a university professor is 65 years.

4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga is directed to take final decision



in light of the Memo No. SC/145/21 dated 27.02.2021 within a period of four weeks and make payment of all the retiral dues payable to the petitioner on account of unutilized leave encashment of 300 days, Group Insurance with applicable rate of interest in accordance with decision of Senate of the Mithila University dated 27.07.1985, D.D.A. at the rate of 9% per annum from the period of 1982 to 1989, D.A. with H.R. for the period from 2006 to 2010 and arrears of salary for the period from April 2020 to February 2021 after its regularization.

5. Such exercise must be taken within a period of four weeks.

6. With the aforesaid observation and direction, the writ petition stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

U			
---	--	--	--

