

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21947 of 2018

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Rabindra Kumar Son of Late Ram Lakhan Singh, Resident of Village/Mohalla- Alka Sadan, Nawadih Bigha, Lab Road, Aurangabad, P.S.- Aurangabad, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Special Secretary, Education Department, Govt. of Bihar, Patna.
3. Director, Higher Education, Govt. of Bihar, Patna.
4. Pay Verification Cell, Education Department, Govt of Bihar, Patna through its Authorised Officer. null null
5. Magadh University, Bodh Gaya through its Registrar.
6. Vice Chancellor, Magadh University, Bodh Gaya.
7. Registrar, Magadh University, Bodh Gaya.
8. Finance Officer, Magadh University, Bodh Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhivendra Kumar, Adv.
For the Respondent/s	:	Mr. Madanjeet Kumar -Gp20
For the University	:	Mr. Pratik Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 10-02-2023 Learned counsel for the petitioner, counsel for the State and counsel for the University present.

It has been mentioned by counsel for the petitioner that the present writ application has been filed to pay the entire post retiral arrears of post death dues of the wife of the petitioner with interest.

Counsel further prays to pay all post retiral dues, death dues and other G.P.F., Gratuity, Leave Encashment, Insurance Money and other connected dues after grant of due

promotion to the petitioner's wife alongwith 12% interest per annum.

Counsel for the petitioner submits that wife of the petitioner joined service on 16.11.1981 and died during the service on 11.10.2013.

The present application has been filed by her husband to make the entire payment towards her post retiral dues, etc.

Counter affidavit has been filed in this case and counsel for the University submits that the petitioner's wife was an Assistant Professor in the department of Botany, K.S.M. College, Aurangabad and she died in the service on 11.10.2013. It has been stated that the payment of family pension @ Rs.17,125/- per month has been started w.e.f. 12.10.2013. It has been stated that amount of Rs.10 lac have been paid towards the gratuity amount through the P.P.O. It has also been submitted that Group Insurance amount at the tune of Rs.96,000/- have been paid to the petitioner. It is also stated that the Earned Leave for 229 days amounting Rs.4,79,206/- has also been paid.

So far as the payment of Provident Fund is concerned, University has directed the college to make the payment amounting Rs.5,77,281/-

Counsel for the University submits that in view of the admissible dues of the petitioner made in the light of the statement made in the counter affidavit, this application may be disposed off.

Counsel for the petitioner submits that he has filed rejoinder to the counter affidavit in which counsel submits that there are still certain dues which has not been paid.

In this view of the matter, liberty is hereby granted to the petitioner that he may raise his claim for further dues and the University shall pass a reasoned order on the same and upon non-consideration of the representation within 10 weeks from the date of filing of the said representation, he shall be at liberty to move for his remedy again.

With the aforesaid direction, the writ application stands disposed off.

(Dr. Anshuman, J.)

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