

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4283 of 2021

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Sheela Devi, Wife of Late Nandan Singh, resident of Village-Ratanpur, P.S.
Banjaria, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Bihar, Patna.
2. The Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur.
3. The Deputy Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur.
4. The Registrar, B.R.A. Bihar University, Muzaffarpur.
5. The Finance Officer, B.R.A. Bihar University, Muzaffarpur.
6. The Principle, M.S. College, Motihari, East Champaran.
7. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devi Das Srivastava, Adv.
For the State	:	Mr. Madhukar Mishra, AC to SC16
For the University	:	Mr. Mritunjay Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 02-07-2024 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the University.

2. The present writ petition has been filed seeking the
following reliefs:

“a) For issuance of writ in the nature of mandamus directing and commanding the Respondents for payment of death cum retirement benefits, such as Gratuity, Family Pension and arrears of salary and other consequential benefits from the period of 23.08.1974 to 25.08.2006 i.e. date of appointment to date of regularization as the matter of fact is that the husband of the petitioner died on 14.05.2016 while he was in service and posted as peon in the M.S.College, Motihari, but after death of deceased Nandan Singh the amount of G.P.F. and leave



encashment was paid only petitioner.

(b) For issuance of writ in the nature of mandamus directing and commanding the Respondents to count back service of the petitioner from 1974 to 2005 i.e. period prior to regularization as qualifying service for the purpose of payment of Family Pension, Death cum retiral dues and arrears of salary as the petitioner was appointed on vacant post of peon on 23.08.1974 and he had continuously discharged his duty in the terms of staffing pattern and prior to cut of date on 10.05.1986 and his college became constituent unit of University in the year 1970. So the petitioner is entitled to all the consequential benefits as per Circular passed by the State of Bihar.

(c) To grant any other relief or reliefs under which the petitioner entitled to found the fact and circumstances of the case.”

3. Learned counsel for the petitioner submits that by Annexure-8 of the supplementary affidavit, the service of the petitioner was counted from 23.08.1974, but payment and retiral benefits has not been paid to the petitioner yet. The petitioner has filed representation before the Registrar, B.R.A. Bihar University on 22.11.2022, but till date no order has been passed by the Registrar B.R.A. Bihar University.

4. Considering the above-mentioned fact, the petitioner is directed to file a detailed representation before the respondent no. 4 (The Registrar, B.R.A. Bihar University) along with all supporting documents within a period of two weeks and the respondent no. 4 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through her counsel and pass a reasoned and speaking order in



accordance with law within ten weeks thereafter..

5. With the aforesaid direction, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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