

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4258 of 2022

Dr. Abhinandan Yadav Son of Bhuvaneshwari Yadav, resident of Azad Nagar,
Ward No. 9, P.O. and P.S.-Madhepura, District-Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Additional Chief Secretary cum Principal Secretary, Department of Education, Government of Bihar, Patna.
3. Director, Higher Education, Government of Bihar, Patna.
4. Bhupendra Narayan Mandal University, Laloo Nagar, Madhepura through its Registrar.
5. Vice Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
6. Pro Vice Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura.
7. Registrar, B.N. Mandal University, Laloo Nagar, Madhepura.
8. Finance Officer, B.N. Mandal University, Laloo Nagar, Madhepura.
9. Financial Advisor, B.N. Mandal University, Laloo Nagar, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binodanand Mishra
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-06-2024 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:

- “(i) For issuance of an order, direction or writ including writ in the nature of mandamus commanding the respondents to make payment of unpaid arrears of difference of salary for the period 27/07/2003 to 31/01/2014 on account of promotion to the post of Associate Professor/Reader with effect from 27/7/2003.*
- (ii) For issuance of an order direction or writ including writ*



in the nature of mandamus commanding the respondents to make payment of interest at the market rate on the aforesaid unpaid arrears of salary to the petitioner.

(iii) For issuance of an appropriate declaration holding that petitioner is entitled for payment of unpaid arrears of difference of salary to the post of Associate Professor with effect from 27/07/2003.

(iv) For issuance of an appropriate declaration holding that petitioner is entitled for payment of interest on the delayed payment of arrears of difference of salary as the delay in the payment is to be squarely attributed to the respondents.

(v) For issuance of an order, direction or writ including writ in the nature of Mandamus commanding the Respondents to make payment of difference of arrears of pension on account of revision of pension.

(vi) For any other relief(s) to which the petitioner may be found entitled in the facts and circumstances of the present case.”

2. Learned counsel for the petitioner submits that the petitioner has not received the payment of difference of salary on account of promotion to the post of Associate Professor for the period of 27.07.2003 to January, 2014.

3. A counter affidavit has been filed on behalf of the University in which it is stated that the petitioner has not received the arrears of difference of salary.

4. Considering the above-mentioned fact, this Court deems it fit and proper to direct the University to pay the arrears of difference of salary on account of promotion in the higher



pay scale within a period of three months and the University authorities is also directed to revise the pension of the petitioner on account of promotion.

5. It is made clear that the if the payment is not made to the petitioner within the stipulated period, the respondent no. 7 (Registrar, B.N. Mandal University) shall be personally liable for non-compliance of this order.

6. Accordingly, the present writ petition stands disposed of.

(Anjani Kumar Sharan, J)

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