

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9234 of 2021

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Ram Ratan Prasad Singh son of late Ramrup Prasad Singh, Resident of
Village- Lodiya, P.O.- Damodarpur, P.S.- Lakhisarai, District- Lakhisarai,
Bihar, 811311

... .. Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University through the Vice Chancellor.
2. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. The Principal, Karyanand Sharma Smarak (K.S.S.) College, Lakhisarai (A
Constituent Unit under Tilka Manjhi Bhagalpur University, Bhagalpur.)
6. The State of Bihar through Principal Secretary, Higher Education, Govt. of
Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Mr. Ashish
For the State	:	Mrs. Binita Singh
For the University	:	Mr. Dr. Anand Kumar Mr. Rajan Prakash

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 04-07-2024 Heard learned counsel for the parties.

2. The present writ application has been filed on behalf of
the petitioner for issuance of writ, order, direction to revise the
pension under ACP/MACP benefits and for issuance of writ
directing upon the Respondents University authorities to pay the
outstanding dues of arrears of difference of salary amount dues
from 01.04.1997 to 31.03.2015 including under the scheme of
ACP/MACP benefits of promotional progressive
scheme/financial upgradation earned by Group B, C and D



employees on completion of 12 and 24 years of regular services and MACP benefits of such promotional upgradation progressive scheme would also start on completion of 10, 20 and 30 years of regular services under three financial upgradations respectively. ACP rules (12/24 years completion) has been repealed with effect from 13.07.2010 instead of 31.12.2008 vide notification dated 13.06.2013 (Finance Department) Government of Bihar, Patna.

3. A counter affidavit is filed on behalf of the Respondent no.1 to 4 and in which it is stated that the claim of arrears of salary under ACP/MACP scheme is Rs.11,81,327/-. The respondent university has verified the record and found that an amount to the tune of Rs.11,73,081/- is payable to the petitioner under this head. The respondent university has written a letter to the Director, Higher Education, Government of Bihar requesting therein to release the amount of Rs.11,73,081/- to the respondent University so that the payment to the petitioner may be made.

4. Learned counsel for the State has also filed a counter affidavit and has stated that the State Government sanctioned and released the consolidated fund on several occasions in the favour of University for payment of salary and post retiral dues.

5. Accordingly, this writ application is disposed of with a



direction to the petitioner to file a representation before the respondent no.3 within two weeks along with a copy of this order and other documents in support of his claim.

6. The respondent no.3 is directed to pay the amount i.e. Rs.11,73,081/- to the petitioner within three months and if the payment is not made within the stipulated period then the petitioner shall be entitled to get an interest @ 4% on the said amount.

(Anjani Kumar Sharan, J)

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