

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17561 of 2015

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1. Bhagirath Prasad Sah and Anr son of late Makundi Sah Resident of Mohalla-Mundichak, Janki Prasad Lane, Near Gobardan Sah Thakurwari, P.s Kotwali, town and District Bhagalpur.
 2. Binda Devi wife of late Keshav Prasad , the then Senior Draftsman, Engineering Section , T.M. Bhagalpur,Univers presently residing at Mohalla- Warsaliganj, Po Mirjan, Hat, P.s Babarganj, Mojahidpur town and District Bhagalpur.

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University
2. The Vice Chancellor, T. M. Bhagalpur University, Bhagalpur
3. The Registrar, T. M. Bhagalpur University, Bhagalpur
4. The Finance officer, T. M. Bhagalpur University, Bhagalpur
5. The University Auditor, T. M. Bhagalpur University, Bhagalpur
6. The State of Bihar through the Principal Secretary, Human Resources Development Department , Govt.
7. The Director, Department of Higher Education ,Government of Bihar, New Secretariat , Patna.
8. State Govt. ,Auditor,Deployed in T. M. Bhagalpur University, Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha
For the Respondent/s	:	Mr. Manish Kumar, AC to AAG6
For the University	;	Mr. Anand Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 12-02-2024 1. Heard learned counsel for the petitioners and learned counsel for the respondents.
2. The petitioners have filed the instant application for the following relief/s:-

“(i) Issuance of an order, direction



or a writ in the nature of mandamus commanding the respondents concerned specially the authorities of the Tilka Manjhi Bhagalpur University to ensure the payment of all due benefits [(a) Arrears of salary w.e.f. 09.08.99, (b) Revision of post retirement claims i.e. pension, gratuity and earned leave salary followed with the payment of its all consequential benefits] to the petitioners in response to the office orders issued by the Respondent Tilkamanhi Bhagalpur University, whereby the petitioner no. 1 and the husband of the petitioner no.2 have been granted First and Second A.C.P. in the following manner.

SI	Name	Information of grant Ist & IInd Financial Progression under ACP Scheme.		
		Office order granting ACP	Date of grant of Ist ACP	IInd ACP
1	Bhagirath Prasad Sah	255/2014dt 19.08.2014	09.08.1999	09.08.1999
2	Keshav Prasad (Husaband of Petitioner no. 2)	353/2014 dt 24.11.2014	09.08.1999	13.05.2000

True Copies of Office Order Nos. 255/2014 dt 19.08.2014 and 353/2014 dt 24.11.2014 are annexed herewith as Annexure-1 & 2 respectively.

(ii) Issuance of an order, direction or a writ in the nature of mandamus commanding the respondents concerned specially the authorities of the Tilka Manjhi Bhagalpur University to ensure the supply of the details calculation of the said benefits which are payable to the petitioners on the basis of the said First and Second A.C.P. already granted to the Petitioner No. 1 and



the husband of the Petitioner No. 2 vide Annexure - 1 & 2 to this writ petition.

(iii) For grant of any other relief or reliefs to which the petitioner may be found entitled to in the facts and circumstances of this case.”

3. Having heard learned counsel for the parties, the instant application is disposed of with the following directions:-

I. Both the petitioners shall file individual/separate representations before the Registrar, T. M. Bhagalpur University, Bhagalpur (respondent no. 3) for the prayer/reliefs sought for in the present application.

II. In case the representations are filed within a period of two months from today, the same shall be disposed of by the respondent concerned within a period of three months from the date of its receipt/ filing.

III. In case any amount is found payable, the same shall be paid to the petitioner within the aforesaid period.

IV. In case any of the amount prayed for in the representations is not found payable, the same shall be rejected by an order in writing which shall be communicated to the petitioners immediately.

V. It is made clear that the Court is not entering into the merits of the case of the parties which shall be decided by



the respondent concerned.

4. The writ application stands disposed of with the above observations and directions.

(Partha Sarthy, J)

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