

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9525 of 2023

=====

Aniruddh Pathak S/o Late Balbhadra Pathak Resident of Bekapur, Thakurbari,
P.S.- Sadar Munger, Town and District- Munger.

... .. Petitioner/s

Versus

1. The T.M. Bhagalpur University, Bhagalpur, through its Registrar.
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 Principal, H.S. College, Haveli Kharagpur, District- Munger.
6. The State of Bihar, through the Additional Chief Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
7. The Director, Department of Higher Education, Government of Bihar, New Secretariat, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Purushottam Kumar Jha
For the Respondent/s : Smt. Binita Singh (Sc 28)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioner and learned
counsel for the respondent / State.

2. This writ application has been filed for following
reliefs:-

(i) For issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to grant the Pay Scale of Rs. 5500-9000 to the petitioner w.e.f. 01.01.1996 (actual benefits whereof is to be granted from 01.04.1997), and in turn to grant all its consequential benefits to the petitioner with all its consequential benefits.

(ii) For issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to grant the Pay Scale of Sectional Officer i.e. Rs. 6500 10500 to the



petitioner either w.e.f. 01.01.1996 or w.e.f. 01.04.2007.

(iii) For issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to grant further corresponding pay scale to the petitioner upon grant of all due three Financial Progressions to the petitioner under ACP and MACP, as has been granted to the Petitioner of CWIC No. 3333 of 2019

(iv) For issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to re-fix the Pension, Gratuity & Earned Leave Salary of the petitioner, upon making proper pay fixation of petitioner's salary, consequent where upon the petitioner may be ordered to be paid all due arrears of Pension, Gratuity & Earned Leave Salary claim of the petitioner without any further delay.

(v) For issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to make the payment of surviving Group Insurance Claim of the petitioner amounting to Rs. 7,78,137.00 only detailed calculation whereof is at Annexure-11 to this writ petition.)

(vi) For issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to make the payment of interest @ 18% per annum over the said claims of the petitioner, taking into account the order dated 31.01.2000 passed by the Apex Court in Civil Appeal No. 689 of 2000 (Vijay L. Mehrotra Vs State of U.P. and Others) (Annexure - 24 to this writ petition).

(vii) 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. Learned counsel for the petitioner submits that for the relief sought for in the present writ petition, the petitioner has filed several representation(s) before the concerned authority, but till date, no action has been taken. Learned counsel for the petitioner has drawn attention of this Court towards Annexure – 22, which has been filed by him on behalf of petitioner to the Respondent no. 2/Vice-Chancellor, T.M.Bhagalpur University and requests for its disposal.

4. In view of limited prayer made on behalf of petitioner, the writ petition is disposed of with direction to Respondent no. 2/Vice-Chancellor, T.M.Bhagalpur University to dispose of the said representation (Annexure – 22 to the writ petition) by a reasoned & speaking order after hearing the parties in accordance with law within a period of six months from the date of receipt / production of copy of this order. If the petitioner is found entitled for such benefit, the same shall be extended to him within a further period of six months.

5. With above observation and direction, the writ petition stands disposed of.

(Prabhat Kumar Singh, J)

anay

U			
---	--	--	--

