

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10121 of 2023

Awadh Tiwary Son of Ram Singhashan Tiwary, resident of Near Girls High School, Shastri Nagar, East Gaya, P.O. Gaya, P.S. Gaya, District- Gaya, the retired Professor and Head, Post Graduate Department of Geography, Magadh University, Bodh Gaya. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor Magadh University, Bodh Gaya.
5. The Registrar, Magadh University, Bodh Gaya.
6. The Finance Officer, Magadh University, Bodh Gaya.
7. The Finance Advisor, Magadh University, Bodh Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Madhaw Prasad Yadaw, GP-23
		Mrs. Meera Singh, AC to GP-23
For the University	:	Mr. Om Prakash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 09-01-2024

Heard Mr. Vijay Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Om Prakash Kumar, learned counsel for the Magadh University. The state is represented by Mrs. Meera Singh, learned AC to GP-23.

2. At the outset, it is submitted on behalf of the learned counsel for the University that in compliance of the order of this Court, the petitioner has been accorded all the retiral benefits/other dues and, as such, the grievance of the petitioner has been redressed. He further submits that though the University was directed to file counter affidavit, showing payment of admissible dues, but the same could not be done.



However, it is the admitted position that the payment has been made.

3. At this juncture, learned counsel for the petitioner submits that on account of intervention of this Court, though the payment has been made, but the same has been done belatedly after four years of the due date. He further submits that in any view of the matter, the petitioner is entitled to interest over the delayed payment.

4. Having heard the parties, the present writ petition stands disposed of, with a liberty to the petitioner to file an appropriate representation before the Registrar, Magadh University, Bodh Gaya, who shall consider the claim of the petitioner, in the light of the judgment rendered by this Court in the case of *Punam Devi Vs. The State of Bihar & Ors.* (LPA No. 1705 of 2018), and shall dispose of the representation of the petitioner, preferably within a period of eight weeks.

5. Needless to observe that, in case, the petitioner is found entitle to interest over the delayed payment, the same shall be made within the period stipulated.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.01.2024.
Transmission Date	NA

