

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19717 of 2021

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Rama Kant Singh Son of Late Siya Sharan Singh, retired Designated Demonstrator, K.S.S. College, Lakhisarai, Resident of Village and Post Office - Patner, Police Station and District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Higher Education, Government of Bihar, Patna.
3. T.M. Bhagalpur University through its Registrar.
4. The Vice Chancellor, T.M. Bhagalpur University.
5. The Munger University, Munger, through its Registrar.
6. The Registrar, Munger University, Munger.
7. The Vice Chancellor, Munger University, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Adv.
For the Respondent/s	:	Smt. Binita Singh, S.C.-28
		Mrs. Nivedita Nirvikar, Adv.
		Mr. Ashhar Mustafa, Adv.
		Mr. Ritesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 01-08-2024

Heard learned counsel for the petitioner and learned counsels for the respondents.

2. By filing the present writ application, the petitioner has prayed for the following reliefs:

(i) For issuance of appropriate order/ direction/ writ specially writ in the nature of mandamus commanding and directing upon the respondents concerned specially respondent nos. 6 and 7 to pay the pension and other retiral benefits after fixing the pay scale in view of 7th pay revision giving benefits of



A.C.P. & M.A.C.P. which has already been granted by the respondent concerned university, but monetary benefit of the same has not been given as yet despite the fact that the petitioner has been superannuated from the post of Designated Demonstrator in K.S.S. College, Lakhisarai in Chemistry Department on 30.04.2018 and his pension paper and other claim for payment of retiral benefits i.e. Gratuity, Leave Encashment, Group Insurance, Employees Welfare Provident Fund has already been submitted on 14.03.2018 in the office of respondent Bhagalpur University and since K.S.S. College has come under jurisdiction of Munger University after bifurcation and as such the claim of the petitioner has been sent on 22.12.2018 to the Munger University from the level of T.M. Bhagalpur University, but till date valid claim of petitioner has not been settled and paid as yet.

(ii) For issuance of appropriate order/direction, writ specially writ in the nature of mandamus commanding and directing upon the respondent concerned to pay the due differences of salary accrued out of Ist and IInd A.C.P. in view of 6th pay revision as well as 7th pay revision also but despite having fixed the pay scale in old scale, salary was paid but valid claim for differences of salary has not been paid as yet despite the fact that several similarly situated persons have already been given the benefit of the same.

(iii) For a further direction upon the respondents concerned to pay the interest upon the pensionary benefit as well as due payable amount for unnecessary delay caused in payment of valid claim in view of judgment passed by Hon'ble Apex Court.



3. Learned counsel for the petitioner submits that the Pay Verification Cell of the State Government has verify the pay-scale of the petitioner and grant consent to the concerned University regarding the same.

4. Learned counsel for the Munger University submits that the pay verification certificate of the petitioner, which was verified by the Pay Verification Cell, has been received and he is ready to pay all the arrears as well as retiral benefits to the petitioner in accordance with law.

5. Considering the submissions advanced on behalf of the parties, I direct the respondent Munger University to pay all the admitted dues to the petitioner within a period of two months from receipt/production of a copy of this order.

6. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

divyanshi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.08.2024
Transmission Date	NA

