

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14498 of 2023

Dr. Pramod Kumar Agrawal son of Late Brahma Prasad Agrawal, Resident of Flat No. 403, Sundaram Block, Mansarovar Garden (Opposite Hotel President), Frazer Road, Police Station Kotwali, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna-800015.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna-800015.
3. The Director, Higher Education, Government of Bihar, Patna-800015.
4. The Magadh University through its Vice Chancellor, Bodh Gaya-824234.
5. The Vice Chancellor, Magadh University, Bodh Gaya-824234.
6. The Registrar, Magadh University, Bodh Gaya-824234.
7. The Finance Officer, Magadh University, Bodh Gaya-824234.
8. B.D. College through the Principal, Mithapur, Patna-800001.
9. The Principal, B.D. College, Mithapur, Patna-800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Nayan Singh, Advocate Mr. Murlidhar Mishra, Advocate
For the Respondent/s	:	Mr. Madhukar Mishra, Advocate
For the University	:	Mr. Faiz Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 02-02-2024

Heard Mr. Rajiv Nayan Singh, learned counsel appearing on behalf of the petitioner and Mr. Faiz Ahmad, learned counsel for the Magadh University. The State is represented by Mr. Madhukar Mishra, learned counsel.

2. The petitioner, who superannuated on 31.07.2016, while posted as Professor in the B. D. College, Patna under the Magadh University, now under the Patliputra University, has



filed the writ petition seeking a direction upon the respondent University to ensure payment of all his retiral benefits, other admissible dues along with the arrears of salary, on account of promotion to the post of Professor, with effect from 1998 to 31.07.2016.

3. A counter affidavit has been filed on behalf of the respondent nos. 4 to 7. Referring to the statements made therein, submission has been made that all the substantive admissible dues amount has been paid to the petitioner, except the difference of payment of leave encashment and payment of difference of salary, on account of promotion to the post of Professor, with effect from 1998 to 31.07.2016. It is further submitted that the same shall be made available to the petitioner after availability of bill claims, on the basis of Pay Verification Certificate issued by the Pay Verification Cell. He further submits that in this regard, the Principal of the concerned college has already been asked to make available the bill claims of the petitioner vide Letter No. Fin/Pen/2077/2023 dated 14.12.2023

4. It is submitted on behalf of the petitioner that irrespective of the fact that the petitioner superannuated in the year 2016, till date, the final settlement of his post retiral and



admissible dues has not even been made.

5. Considering the submissions advanced on behalf of the parties, the present writ petition stands disposed of, with a direction to the Magadh University to ensure payment of remaining admissible dues amount towards the leave encashment and arrears of difference of salary, on account of promotion to the post of Professor, with effect from 1998 to 31.07.2016, preferably within a period of eight weeks, from the date of receipt/production of a copy of this order.

6. Needless to observe that the Principal of the B. D. College, Patna shall extend all the necessary help and produce the bill claims of the petitioner, failing which appropriate order shall be passed against the erring officials, if the matter shall be brought to the Court, in any further proceeding.

7. Accordingly, the present writ petition stands disposed of, with the direction as noted hereinabove.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.02.2024
Transmission Date	NA

