

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12788 of 2019**

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Raghwendra Jha S/o Late Badri Nath Jha Resident of Makranda, P.S.-  
Manigachhi, District- Darbhanga, retired as Office Superintendent from L.N.  
Mithila University, Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,  
Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar,  
Patna.
3. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 20700 of 2019**

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Satya Narayan Sinha @ Satya Narayan Singh S/o Late Ramashish Singh,  
resident of Village Bahadurpur Patori, P.S.- Bahadurpur Patori, District-  
Samastipur, presently residing at-C/o Devendra Dutta Suman, near the street  
of Petrol Pump, Bela Garden Lal Bag, P.S. Darbhanga, District- Darbhanga,  
retired as Section Officer from L.N. Mithila University, Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,  
Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar,  
Patna.
3. The Vice-Chancellor, Lalit Narayan Mithila University, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Darbhanga.

... .. Respondent/s

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**Appearance :**

(In Civil Writ Jurisdiction Case No. 12788 of 2019)

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|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Shashi Bhushan Singh, Adv.     |
| For the State        | : | Mr. Madanjeet Kumar, GP-20         |
|                      | : | Mr. Rajiv Raunak, Adv. AC to GP-20 |
| For the LNMU         | : | Mr. Bindhyachal Rai, Adv.          |

(In Civil Writ Jurisdiction Case No. 20700 of 2019)

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| For the Petitioner/s | : | Mr. Shashi Bhushan Singh, Adv. |
| For the State        | : | Mr. Jitendra Kumar Roy, SC-13  |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

35    14-11-2024                      In both the writ petitions identical nature of grievance has been raised and, as such, with the consent of the respective parties, the matters shall be disposed of by this common law.

2. The petitioners before this Court are Office Superintendent and Section Officer respectively. They have preferred the writ petition seeking a direction upon the respondents to ensure payment of difference of retiral dues, such as gratuity, earned leave and arrears of pension w.e.f. 01.06.2013 till date on the basis of pay scale of Rs. 15,600-39,100/- with Grade Pay of Rs. 6,600/- which has been fixed on account of grant of ACP and MACP in compliance of the order passed in Civil Appeal No. 516/2013, as also to ensure payment of GIC@12.5%, compound interest in view of judgment rendered by this Court along with the deferred D.A. @ 9%, medical allowances and other admitted dues.

3. Adverting to the facts narrated in the writ petition and the averments made in the counter affidavit, learned Advocates for the petitioners finally summarized his contention that the issue raised before this Court has already been adjudicated upon by this Court in case of ***Bimal Kumar Bimal & Ors.***, in C.W.J.C. No. 22953 of 2018 and other analogous



cases, wherein, the Court vide order dated 18.10.2024 has held that the ACP Rule, 2003 with all its amendment framed for the State Government employees would also apply to the non-teaching employees of the universities and constituent colleges; that being so the petitioners of the said writ petitions are directed to ensure the benefits of amended provisions and its consequential financial out come. The Court has also directed the respondents to ensure the payment of amount of Group Insurance with interest at the rate of 12.5% and deferred dearness allowance with interest at the rate of 9%, as has been done in the case of identically situated persons. The contention of learned Advocate for the petitioners is that the case of the petitioners is squarely covered by the decision of this Court as noted hereinabove in ***Bimal Kumar Bimal*** (supra).

4. Learned Advocates for the State and the University submit that the contention of the petitioners are required to be verified at the level of the department before passing of the consequential order.

5. Having considered the submissions made on behalf of the parties, this Court directs the Registrar, Lalit Narayan Mithila University, Darbhanga to consier the claim of the petitioners and ensure all the admissible pre and post benefits as



has been accorded to the petitioners of C.W.J.C. No. 22953 of 2018 and other analogous cases, if the claim of the petitioners find identical to those, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order. Respondents are hereby cautioned to adhere with the time stipulated hereinabove.

6. Both the writ petitions stand disposed off.

**(Harish Kumar, J.)**

Jyoti Kumari/-

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