

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1670 of 2022

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Arun Kumar Son of Maheshwar Prasad, Resident of Ward No. 7, Lodipur House Kachari Road beside Police Station, P.O. and Police Station - Bhabhua (Kaimur), District - Bhabhua (Kaimur). Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Higher Education, New Secretariat, Vikash Bhawan, Bailey Road, Patna.
3. The Joint Secretary, Higher Education, New Secretariat, Patna.
4. The Vice Chancellor, Magadh University, Bodh Gaya.
5. The Registrar, Magadh University, Bodh Gaya.
6. The Principal, S. Sinha, College, Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Sinha, Advocate
For the Respondent/s : Smt. Shilpi Singh, GA-12

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 27-01-2025 Heard learned counsel for the parties.

2. The present writ application is filed for the following reliefs:

(i) For issuance of writ of mandamus commanding and directing the respondent authorities specially. The Respondent No.4, 5 and 6 to revise the scale of demonstrate as per the V.C. order vide Memo No.231/G/C-19-1/07 since the date 15.12.1987 and Civil Appeal No. 6178-6181 of 2015 order dated 27.02.2017 issued by the vice-chancellor on 16.01.2017 and revised the pension and re-fixation of pension as per enhance scale then pay retiral dues with all



consequential arrear of salary as per enhance pay scale since 15.12.1987 effective date till the date of retirement i.e on 31.12.2013 or to take fresh a final decision in the light of its own order as well as this Hon'ble Courts order which has been affirmed by the Apex Court.

(ii) To issue a fresh revised/refixed pension and payment order or to change the designation of post as demonstrator in place of storekeeper in PPO then pay final payment as per scale of demonstration not the post of storekeeper; and issue monthly basic pension as per enhance scale and entire consequential arrear of retiral dues since 01.01.2014 till the final payment with penal interest to the petitioner.

(iii) For issuance of any other relief or reliefs for which the petitioner shall be found entitled under the facts and circumstances of this case.

3. A counter affidavit is filed on behalf of the University and in Paragraph No. 27 and 28, it is, inter alia, stated that the petitioner, after his retirement, was paid all post retiral dues in pay scale admissible at that time. When pay scale was revised in the year 2019, he was paid difference of post retiral dues including arrears of pension. Now, in pursuance of entitlement slip issue by Pay Verification Cell, the claim of the petitioner



would be examined by the University and if any amount found payable, the same will be paid.

4. A rejoinder filed by learned counsel for the petitioner is on record in which it is stated that arrears of salary and 25 per cent of gratuity has not been paid to the petitioner.

5. In view of the submissions made by the parties, in my view, no useful purpose would be served in keeping this writ application pending. Accordingly, I direct the petitioner to file a detailed representation enclosing all the supporting documents within two weeks before the Registrar, Magadh University (Respondent No. 5) and respondent no.5 is directed to dispose of the same within two months thereafter in accordance with law.

6. It is made clear that this Court may take serious view against the concerned respondent if the order is not complied within the stipulated period.

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

(Anjani Kumar Sharan, J)

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