

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2435 of 2022

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Dr. Bina Rani, Wife of Radha Kant Prasad, Resident of Congress Maidan, Flat No. 402, Aangan Apartment, Jagat Narayan Road, P.O. and P.S. - Kadamkuan, District - Patna, Pin Code - 800003.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. Director, Higher Education, Education Department, Bihar, Patna.
3. Patna University, Patna through its Registrar
4. Vice Chancellor, Patna University, Patna.
5. Registrar, Patna University, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Sr. Advocate Mr. Raushan, Advocate
For the Respondent/s	:	Mr. Madan Jeet Kumar, GP-20

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-02-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the University.

2. The present writ petition has been filed seeking the following reliefs:

“(i) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities under the Education Department of the State Government as well as Patna University, Patna (hereinafter referred to as "the University") to take steps towards making payment of arrears of difference of salary and other allowances to the tune of Rs.11,38,542/- only that have not been paid to the petitioner without there being any just and valid reason in support thereof;



(ii) Issuance of a direction, order or writ, including writ in the nature of mandamus commanding the concerned respondent authorities to make payment of penal interest over and above the amount of arrears of difference of salary and other allowances as are admissible in favour of the petitioner and which have not been paid to her for years together without there being any just and valid reason in support thereof;

(iii) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

3. A counter affidavit has been filed on behalf of Respondent Nos.4 and 5 in which it is stated that the Respondent-university has already taken steps for making payment of difference of arrears of salary to the tune of Rs.11,38,542/- inasmuch as the Respondent No.5, the Registrar of the University vide his letter no.722 dated 27.07.2021 has made request to the Director, High Education, Education Department, Government of Bihar, Patna, for providing fund to the tune of Rs.16,45,78,798/- so that the payment of difference of arrears of salary of the petitioner herein and other teachers who have been granted promotion to different teaching posts are made.

4. Considering the statement made in the counter affidavit filed on behalf of Respondent Nos.4 and 5, this Court deems it fit and proper to direct the concerned Authority to



make the payment of the difference of arrears of salary to the petitioner i.e. Rs.11,38,542 within a period of two months from today.

5. If the petitioner does not receive the payment within the stipulated period, then he would be entitled to receive interest at the rate of 8% per year from the date it is due till its payment.

6. It is made clear that the Vice-Chancellor and the Registrar of the University shall be liable for non-compliance of this order within the stipulated period.

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

(Anjani Kumar Sharan, J)

anand/-

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