

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10470 of 2021

Dr. Arjun Jha, S/o Uma Kant Jha resident of Sri Vihar Colony, Power House Road, Binodpur, District- Katihar, retired as Associate Professor, Mathematics, MJMM College, Katihar, a constituent unit of Purnea University, Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Vice Chancellor, B.N. Mandal University, Laloo Nagar Madhepura.
4. The Registrar, B.N. Mandal University, Laloo Nagar Madhepura.
5. The Finance Officer, B.N. Mandal University, Laloo Nagar Madhepura.
6. The Vice Chancellor, Purnea University, Purnea.
7. The Registrar, Purnea University, Purnea.
8. The Finance Officer, Purnea University, Purnea.
9. The Principal, MJMM College, Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Virendra Prasad, Advocate.
For the University	:	Mr. Ritesh Kumar, Advocate.
For the State	:	Mr.Ashutosh Ranjan Pandey, AAG-15.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 21-04-2025 Heard learned counsel appearing on behalf of the petitioner and learned counsel for the respondents.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, following relief(s), which is reproduced hereinafter:-



“(1) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent authorities to grant two increments on account of acquiring Ph.D. degree w.e.f. 01.01.96/27.7.98 in view of order passed in L. P. A No. 269/2016 order dated 27.7.2017 read with CWJC No. 15136 of 2010 dated 15.11.2010 by which the Hon'ble Court has held that two increments are payable on account of acquiring Ph.D. degree and a direction to make payment the arrears of pre and post retiral dues thereupon adding two increments from 01.01.1996/27.7.1998.

(II) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

3. Mr. Ritesh Kumar, learned counsel appearing on behalf of the University referring Para-5 of the counter affidavit filed on behalf of the respondent nos. 3 to 5 informs that a request has been made before the State Government for allotment of Rs.8,80,38,198/- for payment of increment and arrears to 92 Ph.D. degree holder teachers of the University.

4. In view of the steps taken by the B. N. Mandal University, this Court has no alternative than to direct the Additional Chief Secretary, Education Department, Government of Bihar to request the Finance Department to release the required amount so that the petitioner may not suffer on account of laches on the part of the Department.

5. In any case, the Additional Chief Secretary, Education Department, Government of Bihar must ensure to release fund for payment to the petitioner who had retired from Purnea University, well within a period of three months by



requesting all concerned by expediting the matter at his own level.

6. The writ petition stands disposed of.

(Purnendu Singh, J)

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