

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3763 of 2024

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Surendra Prasad, Son of Late Ganga Prasad, Resident of Village
Harishankarpur Baghauni Tajpur, Police Station- Tajpur, District- Samastipur.
... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner-Cum-Secretary, Human Resources Department (Higher Education) Govt. of Bihar, Patna.
2. Director, Higher Education, Govt. of Bihar, Patna.
3. The Vice-Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. The Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. The Finance Advisor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
7. The Principal, Dr. L.K.V.D.College, Tajpur, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar, Advocate
For the Respondent/s	:	Mr. Addl. Advocate General (13)
For the LNMU	:	Mr. Sunil Kumar Karn, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 06-02-2025

Heard the parties.

2. The petitioner, who superannuated on 31.01.2017 as Re-designated Demonstrator, Department of Botany from Dr. L.K.V.D. College, Tajpur, Samstipur under Lalit Nayan Mithila University, Kameshwar Nagar, Darbhanga (hereinafter referred to as ‘the University’), has approached this Court seeking a direction upon the respondents to ensure payment of all the admissible remaining retiral benefits, as has



been mentioned in para.1 of the writ petition, which reads as follows:

“(i) For a direction to the Respondents to pay to the petitioner the amount of revised unutilised leave encashment of 300 days in P.V.C. Scale Rs.80200/- through Grade pay Rs.5400/-.

(ii) For a direction to the Respondents to pay to the petitioner the amount of difference pension from Feb.2017 to June 2023.

(iii) For a direction to the Respondents to pay to the petitioner the amount of G.I. with 12 ½% compound interest per annum.

(iv) For a direction to the Respondents to pay to the petitioner the amount of D.D.A. with 9% per year interest from the period of 1982 to 1989.

(v) For a direction to the Respondents to pay to the petitioner the amount of differences of salary dues amount Rs.2827205/- from the period of March 1989 to Jan. 2017 in A.C.P./MACP scale fixed by P.V.C. Department in scale Rs.80200/- through grade pay Rs.5400/-(Annexure-2).

(vi) For a direction to the Respondents to pay to the petitioner the amount of penal interest upon the entitle dues amount from the dates they became due till the dates of respective payment.”

3. Learned Advocate for the University submits



that since the petitioner has already approached before the competent authority by filing representation for redressal of his grievance, the same shall be considered by the competent authority and dispose of by passing a reasoned and speaking order.

6. Considering the nature of the grievance and the fact that the petitioner has already approached the competent authority, this Court deems it apt and proper to dispose of the present writ petition with a direction to the Registrar of the University to consider the claim of the petitioner, as noted hereinabove, and ensure payment of all the admissible monetary benefits preferably within a period of four months from today.

7. Suffice it to observe that if the other similarly situated persons have been accorded the benefit of interest at the rate of 12.5% under the Group Insurance, the same benefit shall also be accorded to the petitioner.

8. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2025
Transmission Date	NA

