

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10692 of 2024

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Ram Vilas Sah Son of Late Ramchandra Sah resident of village- Saraiya, P.S. Sahebganj, District Muzaffarpur, the retired Peon, Mahesh Prasad Sinha Science College, Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director Higher Education, Education Department, Government of Bihar, Patna.
4. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur
5. The Registrar, B.R.A. Bihar University, Muzaffarpur
6. The Finance Officer, B.R.A. Bihar University, Muzaffarpur
7. The Principal, Mahesh Prasad Sinha Science College, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Adv.
For the Respondent/s : Mr. Saroj Kumar Sharma, AC to A AG (3)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 11-09-2025 Heard Mr. Vijay Kumar Singh, learned counsel for

the petitioner and Mr. Saroj Kumar Sharma, learned AC to

AAG- 3.

2. The petitioner has filed the instant writ application

seeking the following relief(s):-

“(i) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of following retiral dues of the petitioner counting his services from the date of his initial appointment i.e. 11.07.1980 for which he is entitled in view of his retirement from service on 31.12.2023 :-



(a) Pension;

(b) General Provident Fund;

(c) Gratuity;

(d) Group Insurance

(e) Earned Leave

(f) Other benefits for which the petitioner is legally entitled but it has not been paid to the petitioner

(ii) For issuance of an appropriate writ in the nature of MANDAMUS ,commanding and directing the Respondent Authorities to pay the aforesaid retiral dues to the petitioner with interest till it is actually paid to him on the ground that for any delay caused in the payment of retirement benefits attributable to the Respondents, the petitioner cannot be made to suffer in the evening of his life.

(iii) 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. Learned counsel for the petitioner submits that by following the due process of selection pursuant to the advertisement and interview, the petitioner was appointed as Peon by the Managing Committee of Mahesh Prasad Sinha Science College in the fixed pay scale admissible to the post of Peon and pursuant to the decision of the Managing Committee, the Principal of the said College issued appointment letter in favour of the petitioner *vide* Letter No. 97/80-81 dated



07.07.1980.

4. The petitioner, accordingly, submitted his joining in the College which was duly accepted and after successfully discharging his duties got retired on 31.12.2023. The petitioner, upon his retirement, made representation with regard to the settlement of pension like Pension, General Provident Fund, Gratuity, Group Insurance, Earned Leave and other consequential benefits for which he was duly entitled to but the authorities sat tight over the matter. It has next been submitted that the issue which needs to be adjudicated has already been adjudicated for which details of judgments finding favour to this petitioner has been mentioned in paragraphs- 28, 29 and 30 of the present petition. Further certain orders have also been referred during course of hearing passed by the Co-ordinate Benches of this Court in *CWJC Nos. 6476 of 2013 (Ramjee Paswan & Ors. v. The Baba Saheb Bhim Rao Ambedkar University & Ors)* and *CWJC No. 4986 of 2023* along with analogous case *(Pinki Devi v. The State of Bihar & Ors)*. The petitioner, on the strength of the aforesaid judgments, submits that the present writ petition may also be decided in similar terms.

5. Learned counsel representing the University has



got no objection to the submission of the learned counsel for the petitioner and submits that the instant matter may be directed to be decided in similar terms as the case of the petitioner is squarely covered by the judgments referred hereinabove, and necessary orders would be passed to the authorities concerned.

6. Considering the aforesaid submissions, this Court directs the petitioner to file a requisite representation appending all the supportive documents including the judgments as applicable, which according to him, are found to cover his case within a period of four weeks from the date of receipt/production of a copy of this order. On submission of such representation, the concerned authorities will be obliged to consider the same within a further period of two months from filing the said representation by the petitioner and on finding the claim of the petitioner to be valid, the consequential benefits shall also be extended to the petitioner within a further period of four weeks thereafter.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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