

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7597 of 2021

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Dr. (Smt.) Kanti Prasad W/o Dr. U.S. Prasad R/o- B/136, Birla Colony,
Phulwarisharif, P.S.- Phulwari, District- Patna.

... .. Petitioner/s

Versus

1. The T. M. Bhagalpur University Bhagalpur, through its Registrar.
2. The Vice- Chancellor, T. M. Bhagalpur University, Bhagalpur.
3. The Financial Advisor, T. M. Bhagalpur University, Bhagalpur.
4. The Finance Officer, T. M. Bhagalpur University.
5. The Principal, T.N.B. College, Bhagalpur.
6. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, New Secretariat, Patna.
7. The Director, Higher Education, Education Department, Government of
Bihar, New Secretariat, Patna.
8. The Pay Verification Cell, Department of Education, Govt. of Bihar through
its Authorised Officer, having its Office in the Building of Bihar State Text
Book Publishing Corporation Ltd. Buddh Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Advocate Mr. Ram Naresh Jha, Advocate
For the State	:	Mr. Madhaw Prasad Yadaw (GP-23) Ms. Meera Singh, AC to GP-23
For the University	:	Mr. Ashhar Mustafa, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-03-2025 Heard Mr. Purushottam Kumar Jha, learned counsel

 appearing on behalf of the petitioner; Mr. Madhaw Prasad

 Yadaw, learned GP-23 along with Ms. Meera Singh, learned AC

 to learned GP-23 for the State and Mr. Ashhar Mustafa, learned

 counsel for the T.M. Bhagalpur University, Bhagalpur.

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



reproduced hereinafter:

"i. Issuance of an order, direction or a writ in the nature of Mandamus commanding the Respondents concerned to ensure the payment of Petitioner's Arrears of Salary claim and difference of petitioner's post retirement claims (Difference of Pension / Gratuity / Earned Leave Salary Claim), which has accrued to be paid to the petitioner on account of petitioner's promotion as University Professor w.e.f. 02.08.1999 vide Notification No. 241/2016 dated 15.12.2016, along with penal interest thereupon at least @ 18 % per annum, taking into account the law laid down by the Apex Court vide order dated 31.01.2000 in Civil Appeal No. 689 of 2000.

ii. Issuance of an order, direction or a writ in the nature of mandamus commanding the Respondents concerned to supply the detailed calculation of petitioner's said claims to the petitioner in advance.

iii. For grant of any other relief or relief(s) to which the petitioner may be found entitled to in the facts and circumstances of this case."

3. Learned counsel appearing on behalf of the petitioner informs that though the university has admitted in its counter affidavit that the petitioner has paid Rs. 8,46,432 under the head of arrears of pension and Rs. 3,50,000/- under the head of Income tax, but the said amount has not been paid to the petitioner, nor, the petitioner has been given the deduction statement for claiming the exemption in accordance with the provision of Income Tax Act.

4. Considering the aforesaid information given on behalf of the petitioner, the petitioner, if so advised, may file a detailed representation before the appropriate authority for



getting corrected the amount, which he disputes and for the relief(s) as claimed for in the present writ petition.

5. The authority concerned is directed to take corrective measures for payment of actual amount to the petitioner and dispose of the representation filed on behalf of the petitioner expeditiously well within a period of six weeks from the date of filing of the representation, in accordance with law.

6. It goes without saying that if the petitioner is found entitled for the difference of salary on account of his promotion to the post of Professor, the same is required to be calculated and paid within the aforesaid period. The petitioner in this respect may also take appropriate steps by providing all the requisite documents and the effective date from which, she was promoted to the post of Professor.

7. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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