

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16226 of 2025

Rita Kumari W/o Late Nityanand Jha, resident of Mohalla- Beladullah,
Middle School Gali No. 01, Ward no. 03, Brahamsthan, P.S. Sadar, District-
Darbhanga, Pincode- 846004.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department Vikash Bhawan New Secretariat, Bihar, Patna.
3. The Secretary, Higher Education, Education Department, Vikash Bhawan New Secretariat, Government of Bihar, Patna.
4. The Director, Higher Education, Education Department, Vikash Bhawan New Secretariat, Government of Bihar, Patna.
5. The Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga through its Registrar.
6. The Vice Chancellor, Kameshwar Singh Darbhanga Sanskrit University Kameshwarnagar, Darbhanga.
7. The Registrar, Kameshwar Singh Darbhanga Sanskrit University Kameshwarnagar, Darbhanga.
8. The Finance Officer, Kameshwar Singh Darbhanga Sanskrit University Kameshwarnagar, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kaushalesh Choudhary
For the Respondent/s : Mr.Standing Counsel (4)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

(i) For issuance of an appropriate writs)/Rule(s)/Direction(s) in the nature of Mandamus commanding the concerned respondents for payment of differential amount of gratuity, leave encashment and Group Insurance to



the petitioner, for her husband's service from due date i.e. from 01.04.2017, on the basis of 7" Pay Revision and also for calculation of monthly pension and post retirement benefits, on the basis of MACP, from due date and for payment of all consequential benefits, thereof, to the petitioner, for her husband's service namely Nityanand Jha, who was superannuated from the post of Assistant from the Kameshwar Singh Darbhanga Sanskrit University, Kameshwarnagar, Darbhanga, on 31.01.2016 and later on died on 21.02.2025.

(ii) For grant of all other admitted dues to the Petitioner, for which her husband was entitled.

(iii) For grant of other relief / reliefs, to which the petitioner's husband was entitled, on the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that despite benefits under Assured Career Progression (for brevity 'ACP') having been granted vide Annexure-P/6 and subsequent fixation made by the University vide Annexure-P/3 series at page 33, the revision of pension in terms of benefits extended under the ACP has not been considered and his case is squarely covered by the judgment rendered by a Co-ordinate Bench of this Court passed in C.W.J.C. 8119 of 2015, annexed as Annexure-P/12, whose case was directed to be considered by the University vide order dated 18.01.2016 and by considering



the entitlement of the said pensioner, allowed the requisite revision.

4. On the other hand, learned counsel for the University submits that the fixation by the Pay Verification Cell (for brevity 'PVC') has already been made in the pay-scale for which he is entitled and there is no requirement in the revision of the petitioner.

5. To this, learned counsel for the petitioner has taken this Court to the judgment and order passed by a Co-ordinate Bench of this Court in C.W.J.C. No.1400 of 2025, wherein the pay fixation and unilaterally having issued consequential Pay Slip Receipt Nos. 0308220900194, 1108220900260, 0308220900186, 1108220900856, 0308220900122, 0808220900226, 0908220900086, **0811220900014** and 1711220900354 to the petitioners of that case, including this petitioner, have already been quashed and therefore, the entitlement of the petitioner is required to be made in terms of the pay-scale allowed under the ACP and the order passed in this regard is appended with the writ petition as Annexure-P/6.

6. Considering the aforesaid, the University is directed to consider his case and pass appropriate order strictly in terms of the order passed by a Co-ordinate Bench of this



Court passed in C.W.J.C. No.8119 of 2020 and if the case of the petitioner is found similar, then necessary order shall be passed and benefits shall be extended within a period of eight weeks.

7. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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