

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18025 of 2024

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Anand Prakash Agrawal @ Anand Prakash Agarwal S/o Late D.D. Agarwal
@ Dwarka Das, R/o village - Lal Bagh, P.S.- Tilka Manjhi, District-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education,
Govt. of Bihar, Patna.
2. The Registrar, Bhagalpur University, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rupesh Kumar, Advocate
For the State	:	Mr. Ranjeet Kumar, AC to GP-26
For Bhagalpur University:		Mr. Ashhar Mustafa, Advocate
		Mr. Rahil Firdaush, Advocate
		Ms. Anita Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Bhagalpur
University (hereinafter referred to as 'University').

2. Learned counsel for the petitioner is permitted to
implead the Vice Chancellor, Bhagalpur University,
Bhagalpur, and the Finance Department through its Principal
Secretary, Government of Bihar, Patna, as party respondents in
the present case during the course of the day.

3. The petitioner has filed the instant writ
application for the following reliefs:-

*(i) For a direction upon the respondents to give
arrear of the Pension of 7th Pay Commission from*



2016 to 2020, belongs to mother of petitioner who has been deprived of from giving the same within her lifetime and later mother of petitioner, namely, Shushma Agrawal, W/o Late D.D. Agrawal had died on 15.07.2022, having due of arrear of pension upon the Bhagalpur University (respondent no.2).

(ii) For directing the respondents for grant of all the arrear of pension and any other consequential benefits of late mother of petitioner, where father of petitioner has been superannuated as Professor in English from TNB College, Bhagalpur under Bhagalpur University and later died on 08.10.2015 and thereafter, mother of the petitioner was getting family pension, who has got only 7th pay commission of 2021 and has been deprived from arrear of same from the year 2016 to 2020 and had been died without the same, for which respondent no.2. is duty bound to give the same.

(iii) For directing the respondent authorities to consider the applications of the petitioner asking for arrear of pension of her mother by way of application to Registrar, Bhagalpur University dated 02/02/2023, 18/02/2023, 23/03/2023, 20/05/2023, 24/10/2024 and also not responded on the R.T.I. dated 02.11.2023 as well as not on legal notice dated 27.09.2023. And only assurance of giving the arrear of pension of mother has been given till date, which is property under Article 300-A of the Constitution.

(iv) For any other relief(s) to which the petitioner is found entitled to in the facts and circumstances of the case.

4. Learned counsel for the petitioner submitted that the petitioner is said to have filed a representation before the



Registrar of the University regarding payment of arrears of pension of his mother, namely, Shushma Agrawal, who is said to have died on 15.07.2022 without receiving the arrears of pension with respect to the 7th Pay Commission, for the period from 2016 to 2020.

5. Learned counsel for the University submits that the reliefs said to have been sought by the petitioner need adjudication by the competent authority of the University, by referring to the documents which would be essential for passing necessary orders in this regard. Therefore, the representation filed by the petitioner may be directed to be decided by the competent authority of the University.

6. Considering the aforesaid, the representation of the petitioner, which is appended as Annexure-P/2 series to the writ application, be filed before the Vice Chancellor of the University, and he shall be obliged to take a final decision in this matter within a period of two months from the date of submission of such representation. If the benefits with regard to the 7th Pay Commission are found applicable in the case of the deceased employee, who is said to have served with the University, then the said benefits shall be extended to the petitioner within a period of four weeks thereafter.



7. With the aforesaid observations and directions,
the instant writ application stands disposed of.

(Ajit Kumar, J)

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