

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6581 of 2022

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Shambhu Patel son of late Ram Sinhasan Prasad, Resident of 16/392,
Professor Colony, Mission Road, Dahiawan, District- Saran at Chapra, Pin-
841301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Secretary cum Director, Higher Education, Govt. of Bihar, Patna.
3. The B.R.A. Bihar University, Muzaffarpur, through its Vice Chancellor.
4. The Registrar, B.R.A. Bihar University, Muzaffarpur.
5. The Registrar, Jai Prakash University, Chapra.
6. The Finance Officer, Jai Prakash University, Chapra.
7. The Principal, Jagdam College, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary
For the Respondent/s	:	Mr. Prabhakar Jha, GP-27
		Mr. Vivekanand Singh
		Mr. Bindhyachal Rai
		Mr. Chandan Kumar

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 30-01-2026 Heard learned counsel for the petitioner and

learned counsel for the respondents.

2. Defect(s) pointed out by the Office is ignored.

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

*A. The respondents J.P. University, Chapra may
kindly be directed to ensure immediate payment
of:-*

*(i) Group Insurance Amount to the
tune of Rs.2,78,535/- with 12.5% compound
interest (in continuity) till the date of final
payment.*

(ii) Rs.7,33,830/- towards arrear/



differential arrears of pensions on account of pay revision w.e.f. 01.01.2016, admissible for the period.

(iii) Rs.8514/- towards leave encashment amount as against 300 days of EL only 297 days. E.L. has been allowed in complete violation of the Govt. Circular issued vide memo no.330 Est. dated 08.03.2017 and several judicial pronouncements made by the Hon'ble Court in this regard.

(iv) The monetary benefit towards the ACP/MACP Scheme also may kindly be extended in view of the Hon'ble Apex Court decision passed in Sunny Prakash case i.e. Civil Appeal No.2516 of 2013 (arising out of SLP (C) No.22617/2008)

B. The respondents B.R.A. Bihar Jai Prakash University, Chapra also may kindly be directed to ensure immediate payment of:-

(i) Differential arrear towards pay and allowances admissible before October 1992 (i.e. prior to creation of the J.P. University, Chapra, in view of the Hon'ble Court's decision reported in 2000(3) PLJR 744.

(ii) Deferred D.A. and Group Insurance amount with upto statutory interest (while furnishing calculation chart) in view of the Hon'ble Court decision reported in 2006(4) PLJR 369.

C. Any other relief(s) for which the petitioner may be found entitled to in the facts and circumstances of the case.

4. Learned counsel for the petitioner submits that an appropriate representation was filed in the year 2022 itself, but it has not been adjudicated to date. It is further submitted that the petitioner retired in 2016 as Head Assistant from Jagdam College, Chapra, which was initially under the jurisdiction of B.R.A. Bihar University and later came under the jurisdiction of



J.P. University.

5. Learned counsel for B.R.A. University and J.P. University submits that since the petitioner's representation is already pending before the authorities of J.P. University, appropriate directions may be issued for passing an order adjudicating the petitioner's claim.

6. Considering the submissions of the parties, this Court finds it appropriate to direct the petitioner to file a fresh representation, along with all supporting documents, including a copy of this order, before Respondent No. 5 within four weeks from today. On filing such representation, Respondent No. 5 is directed to adjudicate the petitioner's claim by passing a reasoned and speaking order. If the petitioner's claim is found to be justified, the benefits shall also be extended in his favour within a further period of eight weeks from the date of representation.

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

(Ajit Kumar, J)

shikha/-

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