

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14571 of 2023

=====

Maheshwar Jha Son of Late Pitamber Jha Resident of Mohalla Vidyapati
Nagar, Ward no. 19/31. P.S. Saharsa, District-Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Education Department, Govt. of Bihar, Patna.
2. Bhupendra Narayan Mandal University (B.N.M.U.), Madhepura, through its Registrar
3. The Vice-Chancellor, B.N. Mandal University, Madhepura
4. The Financial Advisor, B.N. Mandal University, Madhepura
5. The Registrar, B.N. Mandal University, Madhepura
6. Finance Officer, B.N. Mandal University, Madhepura
7. Lalit Narayan Mithila University (L.N.M.U.), Darbhanga, through its Registrar
8. The Vice-Chancellor, L.N. Mithila University, Darbhanga.
9. The Registrar, L.N. Mithila University, Darbhanga.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Hemendra Prasad Singh, Sr. Adv. Mr. Anil Kumar, Adv.
For the Respondent/s	:	Mr. Madhaw Pd. Yadaw, GP-23 Mr. Sanjay Kumar, AC to GP-23
For the L.N.M.U.	:	Mr. Bindhyachal Rai, Adv.
For the B.N.M.U.	:	Mr. Md. Nadim Seraj, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 30-06-2026

Heard the parties.

2. The grievance of the petitioner is in limited bound to the extent that despite having been superannuated long back on 31.01.2015, he has not been allowed the residual amount under the head of arrears of pension, on account of 6th and 7th Pay Revision Scheme. The petitioner is also said to have been



deprived from the residual amount under the head of group insurance scheme with statutory interest, till the date of actual and final payment from both the Universities.

3. Learned Senior Advocate appearing on behalf of the petitioner submitted that though in terms of 6th Pay Revision Scheme, the petitioner was entitle to get a sum of Rs. 2,21,848/- from February, 2015 to February, 2018. But the B.N. Mandal University has paid only Rs. 1,77,528/-, which is less than Rs. 44,320/-. So far the payment of arrears with respect to 7th Pay Revision is concerned, a meager amount to the tune of Rs. 93,219/- has been paid by the B.N. Mandal University. Besides the aforesaid fact, the petitioner has also been accorded 12.5% interest over the admissible amount of group insurance, till the date of superannuation by the B.N. Mandal University, irrespective of the fact in terms with resolution dated 13 July, 1985 issued by the Finance Department, the duty was cast upon the University to ensure the payment within 15 days from the superannuation of an employee. But in the case in hand, the petitioner has been paid after a delay of about three years. So far the L. N. Mithila University is concerned, it is submitted that surprisingly, the petitioner has been paid only 4 ½ % of interest over the admissible group insurance, for the period he rendered



services in the said University.

4. Mr. Md. Nadim Seraj, learned Advocate for the B.N. Mandal University referring to the counter affidavit filed on behalf of the respondent no. 3 to 6 submitted that the calculation of the petitioner is entirely based upon assumption, as to how he came to the conclusion that he has been given lesser amount, on account of 6th Pay Revision as well as 7th Pay Revision, it has not been disclosed. Only because the statement of account has not been furnished, in no circumstances, it can be assumed that lesser amount has been paid. It is further submitted that the petitioner has already been accorded 12.5% of interest over group insurance, till the date of his retirement.

5. Simultaneously, the learned Advocate for the L.N. Mithila University has submitted that the interest @ 4.5%, which was applicable at the relevant point of time over the group insurance has been paid to the petitioner.

6. Considering the submissions advanced by learned Senior Advocate for the petitioner as well as learned Advocate for the Universities, this Court deems it apt and proper to direct the Registrar of B. N. Mandal University to verify the stand of the petitioner with regard to his entitlement on account of arrears of pension on account of 6th Pay Revision and in case,



the stand of the petitioner finds favour that the petitioner has been paid lesser amount to the tune of Rs. 44,320/-, the same shall be paid to him.

7. However, if the University finds that there is no error in calculation, in such circumstances, the statement of accounts must be furnished to the petitioner, forthwith.

8. So far the claim of the petitioner with respect to compound interest @ 12.5% over the group insurance amount is concerned, prima facie, this Court is of the opinion that the resolution dated 13 July, 1985 clearly stipulates that all the payments must be ensured within 15 days of the date of retirement of the employee. However, in the case in hand, the same has been paid after a delay of three years. In such circumstances, this Court finds substance in submission of learned Senior Advocate, if there is no other legal impediment and it has been paid to any other identically situated person, the same may be calculated and paid to the petitioner till actual date of payment.

9. The Registrar of the L. N. Mithila University shall also inform the petitioner with regard to applicability of compound interest over the GIC amount for the period, petitioner has only been allowed 4.5% of compound interest in



place of 12.5% compound interest , as stipulated under the
aforenoted resolution.

10. It is expected that the entire exercise must be
completed by the Registrar of the B. N. Mandal University as
well as the Registrar of the L. N. Mithila University, preferably
within a period of six weeks, from the date of receipt/production
of a copy of this order.

11. On verification, if the claim of the petitioner finds
favour, necessary consequential order shall also be issued with
its monetary benefit, within the stipulated period.

12. The writ petition accordingly stands disposed off.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.07.2026
Transmission Date	NA

