IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14876 of 2022

CNR No. BRHC010850122022

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Gauri Shankar Singh Son of Late Uchit Narayan Singh @ Udit Narayan Singh, Resident of Village-Barahpur, P.S. Mokama, District-Patna.

... ... Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University Bhagalpur, through the Vice Chancellor.
2. The Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur.
3. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur.
4. The Finance Officer, Tilka Manjhi Bhagalpur University, Bhagalpur.
5. The Principal, B.N.M. College, Barahiya, P.S. Barahiya, District Lakhisarai.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Devendra Prasad Singh, Advocate
For the Respondent/s : Mr. Ashhar Mustafa, Advocate
Ms. Anita Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

15 20-11-2026 Heard the parties.

2. With the consent of the parties, the present writ application is being disposed of at this stage itself.

3. The present writ application has been preferred by the petitioner for the monetary benefits of A.C.P and M.A.C.P as per his entitlement and also for the consequential benefits accordingly with interest by fixing the pay scale as per rule.

4. The counter affidavit has been filed on behalf of the Tilka Manjhi Bhagalpur University and as per paragraph 8 of the counter affidavit, the concerned University calculated the

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difference of gratuity payable to the petitioner on account of revision and found that Rs. 6,23,634/- is payable amount to the petitioner. It is further stated that after deducting the University contribution of Rs. 92,009/- from the said amount, the net amount payable to the petitioner came to Rs. 5,31,625/- which has been paid to the petitioner in the following manner:

(a) Rs. 2,57,991/- vide cheque no. 620387 dated 01.07.2010.

(b) Rs. 2,31,559/- vide cheque no. 113330 dated 23.12.2022.

(c) Rs. 42,075/- vide cheque no. 113343 dated 27.05.2023.

5. It is submitted on behalf of the petitioner that some amount have been paid after a delay of more than nine years and rest amount have been paid after a period of more than fourteen years. The grievance of the petitioner is with respect to the interest which has not been paid to the petitioner.

6. It is submitted on behalf of the learned counsel for the petitioner that a direction may be issued to the concerned University for payment of the interest for which he is ready to file a fresh representation.

7. Learned counsel for the University submits that the

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petitioner may be directed to file a fresh representation.

8. Considering the above, the petitioner is directed to file a fresh representation before the Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur (respondent no. 2) along with all supportive documents for adjudication of his claim within a period of four weeks from today.

9. If the fresh representation is filed within the stipulated time, then the Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur (respondent no. 2) shall dispose the same within a period of eight weeks from the date of receipt of the representation, taking into consideration the judgment of this Hon'ble Court in L.P.A No. 670 of 2022 dated 29.01.2025 in which this Hon'ble Court took note of the decision of the Hon'ble Supreme Court in the case of ***Vijay L. Mehrotra vs. State of Uttar Pradesh and Others*** reported in **2001 9 SCC 687** in which the Hon'ble Supreme Court has held that on all such dues, the retired employee is entitled to interest including arrears of salary.

10. It is needless to emphasize that the final order which shall be passed by the Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur (respondent no. 2) shall be a reasoned and speaking order after taking into consideration the

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order of this Hon'ble Court in L.P.A. No. 670 of 2022 dated 29.01.2025.

11. It is further clarified that if the Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur (respondent no. 2) comes to the conclusion that the petitioner is entitled to the relief which he would be claiming through his representation, the same should be extended to the petitioner within a period of four weeks from passing of the final order.

12. With the aforesaid observations/ directions, the present writ application stands disposed of.

(Kumar Manish, J)

barkha/-

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