

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3308 of 2024

In
Civil Writ Jurisdiction Case No.9747 of 2023

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1. Satya Narayan Choudhary S/o Manoj Choudhary, village - Pawara, P.S. - Manjhaul, District Begusarai, retired as class IV employee, S.K. Mahila College, Begusarai.
 2. Indu Devi, W/o Mahendra Prasad Das, resident of village - Vishnupur, P.O. - Mirjapur, Bandawar, P.S. and District - Begusarai, retired peon in S.K. Mahila College, Begusarai.
 3. Jai Kishore Singh, S/o Late Saudagar Singh, resident of village - Mahendrapur, P.S. - Naya Gaon District - Begusarai, retired as Peon, S.K. Mahila College, Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna, now Additional Chief Secretary, Education Department, Govt. of Bihar, Patna namely Shri Sandeep Pondrik.
2. Shri Sandeep Pondrik, Presently Posted as Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. Dr. S.K. Singh, Presently Posted as Vice-Chancellor, L.N. Mithila University, Kameshwar Nagar, Darbhanga.
4. Dr. Ajay Pandit, Presently Posted as Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. Sri Rajan Kumar Sinha, Presently Posted as Finance Officer, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. Dr. Vimal Kumar, Presently Posted as Principal, S.K. Mahila College, Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh, Advocate
For LNMU	:	Mr.Kinkar Kumar, Advocate
For the Opposite Party/s	:	Mr.Subhash Chandra Mishra, SC 16

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 11-03-2026 Heard Mr. Shashi Bhushan Singh, learned counsel

 appearing on behalf of the petitioner; Mr. Kinkar Kumar,

 learned counsel for the Lalit Narayan Mithila University and



Mr. Subhash Chandra Mishra, learned SC 16 for the State.

2. Mr. Kinkar Kumar, learned counsel appearing on behalf of Opposite Parties No. 3 to 5 informs this Court that the petitioner's claim with regard to fixation of pension and payment of retiral benefits along with the benefits of ACP/MACP from the initial date of appointment has already been considered. It is further submitted that substantial amount has been paid to the petitioner, as mentioned in paragraphs 6 and 7 of the show cause filed on behalf of the Opposite Parties.

3. Learned counsel appearing on behalf of the petitioner, however, submitted that he is not satisfied with the calculation made by the authorities and he contended that the entire amount legally payable to the petitioner has still not been paid.

4. It is further submitted that the Government Circular as contained in Memo No. 169 dated 28.01.2013 is self-explanatory and the same has not been properly complied with by the authorities. It is also submitted that the adjustment claimed by Opposite Parties No. 3 to 5 is not in accordance with the law laid down by the Apex Court in the case of *State of Punjab & Ors. vs. Rafiq Masih*, reported in AIR 2015 (4) SCC 334, which has subsequently been clarified in the case of



Thomas Daniel vs. State of Kerala & Ors., reported in **2022 LiveLaw (SC) 438**.

5. Upon consideration of the submissions made on behalf of the parties and on perusal of the materials on record, this Court finds that the order passed earlier has been substantially complied with. So far as, the grievance of the petitioner relating to the calculation and the issue of recovery after the payment received by the petitioner becomes a fresh cause of action, which requires to be considered by the competent authorities of the University and the State Government.

6. The petitioner may approach the Registrar of the concerned University if he is not satisfied in any manner on account of the more payment of amount on account of any other dues, which shall be considered expeditiously by the concerned authorities.

7. The present application accordingly stands disposed of.

(Purnendu Singh, J)

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