

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5116 of 2021

RAJENDRA BHAGAT son of late Jhapsi Bhagat Resident of Mohalla-
Charch Road, chandwara Ward No. 45, Muzaffarpur, Police Station- Town,
District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The Commissioner-cum-Secretary, Human Resources Department (Higher
Education) Govt. of Bihar, Patna
3. The Joint Secretary, Govt. of Bihar, Patna
4. The Director, Higher Education, Govt. of Bihar, Patna
5. The Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur
through its Registrar.
6. The Vice-Chancellor, Baba Saheb Bhim Rao Ambedkar Bihar University,
Muzaffarpur
7. The Finance Officer, Baba Saheb Bhim Rao Ambedkar Bihar University,
Muzaffarpur
8. The Finance Auditor, Bihar, Govt. Camp Baba Saheb Bhim Rao Ambedkar
Bihar University, Muzaffarpur
9. The Pension Officer, Baba Saheb Bhim Rao Ambedkar Bihar University,
Muzaffarpur
10. The Principal M.D.D.M College, Muzaffarpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar
For the University	:	Mr. Arabind Nath Pandey
For the State	:	Mr. J.K. Roy 1, SC-13

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 02-02-2022

The matter is heard via video conferencing due to
circumstances prevailing on account of the COVID-19
pandemic.

2. State counsel accept notice for respondents.



Petitioner's counsel to serve copy of the petition to the State counsel.

3. In the present petition, petitioner has prayed for following reliefs:

“i. For a direction to the Respondents to pay to the petitioner the amount of revised gratuity in A.C.P./M.A.C.P. Scale, Rs. 5200-20200/- (G.P. Rs. 2400/-).

ii. For a direction to the respondents to pay to the petitioner the amount of revised unutilised leave encashment in ACP/MACP Scale Rs. 5200-20200/- (Grade Pay Rs. 2400/-).

iii. For a direction to the Respondents to pay to the petitioner the amount of Part G.I. with interest.

iv. For a direction to the Respondents to pay to the petitioner the amount of difference of Pension from 01.08.2000 to February, 2019 in ACP/MACP Scale Rs. 5200-20,200/- (Grade Pay Rs. 2400/-).

v. For a direction to the Respondents to pay to the petitioner the amount of difference of salary from march, 1989 to July, 2000 in ACP/MACP scale Rs. 5200-20200/- (Grade Pay Rs. 2400/-).

vi. For a direction to the Respondents to pay to the petitioner the amount of interest of gratuity and pension by the Government Circular bearing No. P-C-21-16179/3155 dated 07.11.1981 and pay penal interest upon the entire dues from the dates they became due till dates of respective payment.

vii. Any other relief(s) to which the petitioner deemed entitled.”

4. The aforesaid relief is supported by representation



dated 14.02.2020.

5. Therefore, the concerned authority is hereby directed to redress the petitioner's grievance in considering the representation read with service particulars and ACP/MACP Rules or Scheme. If the petitioner is eligible necessary order shall be passed including grant of monetary benefits. If petitioner is otherwise not eligible, speaking order shall be passed as to why the petitioner is not entitled to ACP/MACP pay-scale and consequential benefits and communicate the decision to the petitioner.

6. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

