

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3229 of 2014

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Maheshwar Prasad Singh, son of Late Surajdeo Singh, resident of village -
Kurkuri, P.O. and P.S. Phulwarisharif, District - Patna

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna
2. The Accountant General (A & E), Bihar Birchand Patel Path, P.O. G.P.O., Patna
3. The District Magistrate, Patna
4. The Director of Provident Fund, Panth Bhawan, Bailey Road, Patna
5. The District Provident Fund Officer, Patna Collectorate, Patna
6. The Circle Officer, Mokama Circle, District - Patna
7. The Circle Officer, Patna Sadar Circle, Patna
8. The Circle Officer, Phulwarisharif Circle, Phulwarisharif, District - Patna
9. The Circle Officer, Naubatpur Circle, Naubatpur, Patna
10. The Circle Officer, Maner Anchal Maner, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Md. Fazal Rahman

For the Respondent/s : Mr. AC to GA-5

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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2 27-01-2015 Heard learned counsel for the petitioner, learned AC to

GA-5 as well as learned counsel, who has appeared on behalf of

the Accountant General, Bihar.

The petitioner, who retired as Karamchari with effect
from 30.06.2009 from the office of Circle Officer, Phulwarisharif,
has approached this Court, invoking its writ jurisdiction under
Article-226 of the Constitution of India, with a prayer to direct the
Respondents to pay pension and gratuity in view of revised pay
scale as per Finance Department Notification vide Memo No.630

dated 21.01.2010. Besides this, the petitioner in the writ petition has also prayed for G.P.F. amount. However, at the time of hearing of writ petition, learned counsel for the petitioner accepts that entire G.P.F. amount has already been paid. In respect of revision of pension and gratuity, the petitioner has filed a representation before the Circle Officer, Phulwarisharif, Patna.

The Court is of the opinion that instead of asking the State Counsel to file counter affidavit, the writ petition can be disposed of granting liberty to the petitioner to file a fresh representation before the Circle Officer, Phulwarisharif, Patna giving detail of his claim in respect of revision of his pension and gratuity. Regarding revision of pension and other retiral dues, if such representation is filed within a period of six weeks from today, Respondent no.8 is directed to examine the same and redress grievances, if it is found genuine. This decision must be taken within a period of two months from the date of filing of such representation. Even in case of refusal, Respondent no.8 is directed to pass a speaking order and communicate the same to the petitioner within the aforesaid time.

The writ petition stands disposed of with aforesaid observation and direction.

NKS/-

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(Rakesh Kumar, J)