

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2881 of 2015

Prabhu Dayal Son of Late Bhagirath Pandit, Resident of Village - Pakri Hal
Mokam, Fatehpur Tola Ramrei Chak, P.O. and P.S. - Fatehpur, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Accountant General, Patna, Birchand Patel Marg, Patna.
3. District Magistrate, Gaya.
4. Treasury Officer, Gaya.
5. District Accounts Officer, Gaya.
6. Block Development Officer, Tankuppa, Gaya.

.... Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. VINAY KIRTI SINGH, GA3

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL JUDGMENT

Date: 19-02-2015

No one appears for the petitioner. Learned counsel for the
State and Accountant General are present.

The prayer of the petitioner in this writ application reads as
follows:-

*"----- commanding the Respondent authority to pay
the petitioner the remaining amount of Retirement Benefits
such as Difference of pay as per Sixth Pay Revision, as also
A.C.P. amount in revised pay scale and difference of Leave
Encashment calculated-----"*

Having regard to the fact that A.C.P. amount is not a
retirement benefit, this Court would refuse to give any direction as with
regard to payment of the aforesaid amount. The petitioner, however, will be
at liberty to raise the issue of A.C.P. amount separately before the
appropriate forum/court.

Reverting back to the rest of the relief prayed in this application, it is found that the petitioner claims retirement benefit on the basis of pay revision made in view of the recommendation of the 6th Pay Revision Committee Report. From the Pay Fixation Statement of the petitioner of the month of July, 2013, it is found that the petitioner's pay in the revised pay-scale as per recommendation of the 6th Pay Revision Committee from Rs. 6500-10500 to Rs. 9300-34800 had been fixed in the month of July, 2013. Thus, if the petitioner has not been paid the further difference of the retirement benefit, if any, in view of the aforesaid revised Pay Fixation Statement, the competent authority being the District Magistrate, Gaya, the respondent no.3,, shall do the needful by sending the sanction order to the Accountant General for authorizing all further payment of the difference of retirement benefit as per the revised pay-scale.

This exercise, however, must be completed by the competent authority including the office of the Accountant General within a period of four months from the date of receipt of this order and if the petitioner is found entitled for any further amount, the same will be paid to him in next two months.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

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