

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5791 of 2015

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Md. Zaheeruddin, son of Late Hameeduddin, resident of Village-
Makhdoomchak, Police Station- Bakhtiyarpur, Post Office- Simri
Bakhtiyarpur, District- Saharsa.

... Petitioner/s

Versus

1. The State of Bihar.
2. The Accountant General, Bihar, Patna.
3. The District Education officer, Saharsa.
4. The District Programme Officer (Establishment) Saharsa.
5. The General Provident Fund Officer, Saharsa.
6. The Treasury Officer, Saharsa.
7. The Principal, +2 Islamia High School, Simri Bakhtiyarpur, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf, Advocate.
For the State : Mr. Harish Kumar- GP-32
For the A.G. : Mr. Uday Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

3 03-07-2015

Heard learned counsel for the parties.

2. Having regard to the fact that now the Treasury Officer, Saharsa, having appeared in person, has explained that the amount of pension and gratuity, as authorized by the Accountant General, has been disbursed and credited in the account of the petitioner on 16.04.2015, this Court will have no difficulty in holding that major portion of the grievance of the petitioner relating to payment of retirement benefit has been redressed.

3. Learned counsel for the petitioner, at this stage, has explained that though the amount of gratuity, as authorized by the Accountant General, has been sought to be paid but the

provisional amount of gratuity to the tune of Rs. 3,49,000/- which has been deducted from the bill amount of gratuity of the petitioner to the tune of Rs. 5,43,906/- has not been paid to the petitioner as yet.

4. The Treasury Officer, Saharsa has informed this Court that the amount of provisional gratuity of the petitioner to the tune of Rs. 3,49,000/- has remained unpaid only because the Drawing and Disbursing Officer of the petitioner has not submitted the bill and the moment the said bill is submitted, its payment will be made.

5. In that view of the matter, this Court would direct the District Programme Officer (Establishment), Saharsa (respondent no. 4) to ensure that the bill for payment of the amount of Rs. Rs. 3,49,000/-, which was earlier found to be the provisional gratuity and now remaining part of the full gratuity, should be submitted, if not already submitted, within a period of one week from the date of receipt of a copy of this order.

6. It goes without saying that once the bill for payment of Rs. 3,49,000/- is presented by the District Programme Officer (Establishment), Saharsa, its actual payment to the petitioner shall also be made by the Treasury Officer, Saharsa within one week from the date of receipt of such bill.

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

8. The personal appearance of Mr. Raj Kumar,
Treasury Officer, Saharsa is hereby dispensed with.

(Mihir Kumar Jha, J)

Sujit/-

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