

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4973 of 2015

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Yugal Chaudhary Son of Late Ramuchit Chaudhary , Resident of Village
Alampur, P.O. and P.S. Barh , District Patna

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna
2. The Accountant General , Bihar, Patna
3. The District Magistrate cum District Collector, Patna.
4. The District Provident Fund Officer, Patna
5. The Block Development Officer, Barh , Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha
For the State : Mr. Gopal Krishna, AC to SC-IX
For the AG : Mr. Satyendra Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 17-04-2015

Heard learned counsel for the parties.

The prayer of the petitioner in this writ application for making full and final payment of pension and other retirement benefit is still dependent on the order of the authorization of the office of the Accountant General.

It appears that the petitioner may have drawn some salary but, if to that amount he was not legally entitled to get it, the Accountant General can definitely, at the time of fixation of pension, examine the whole thing and determine the correct amount of pension payable to the petitioner. If the petitioner then becomes aggrieved i.e. after issuance of the authorization order of the Accountant General, nothing will stop him to make such claim

but, for the time being, the exercise undertaken by the Accountant General as per the communication made between the two officers has to be completed and, therefore, this Court would direct the office of the Accountant General to take a decision for issuance of Pension Payment Order and Death cum Retirement Gratuity Payment Order within a period of three months from the date of receipt of this order.

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

(Mihir Kumar Jha, J)

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