

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3134 of 2015

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Tarwa Musaharni @ Tarwa Devi wife of Late Buddhu Manjhi (Ex-Safai Jamadar),
Munger Municipal Corporation, resident of Between Bazar Musahari, P.O. G.P.O.
District- Munger, Pin Code -811201.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Hosing Department, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna
3. The District Magistrate, Munger.
4. The Chairman, Standing Committee, Munger Municipal Corporation, Munger.
5. The Nagar Ayukta, Munger, Municipal Corporation, Munger.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Sabir Ahmad, Mr. Shambhu Sharan Singh, Advocates
For the State	:	Dr. Anil Kumar Upadhyaya, S.C. 20 Mr. Naresh Prasad, A.C. to S.C. 20
For the Corporation	:	Mr. Ambika Bhagat, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 28-07-2015

I have heard learned counsel for the petitioner and the State.

Petitioner seeks direction to the respondents-authorities to fix her pension and further payment of arrears as stated in paragraph no.9.

A stand has been taken that the petitioner was to retire on 30.04.2012 but some interpolation was made in her records resulting in a situation that she could work for 18 more months even

after the date of her retirement. On 16.11.2013 a letter was issued to her stating that she had retired on 30.04.2012 itself. However, her retiral dues are not being fixed. It is submitted that the departmental proceedings are going on against the persons for the charges of interpolation in the service records of the petitioner but surprisingly no proceeding was ever initiated against the petitioner.

Be that as it may, the concerned authority has to take a decision regarding payment of pension and other retiral benefits. Let a decision be taken in this regard within a period of eight weeks from the date of receipt/production of copy of this order. It is made clear that if any adverse order is passed against the petitioner then that should be a reasoned one and should immediately be communicated to her. If pension etc. are fixed and other benefits are allowed then admissible amount should be paid within a further period of four weeks. Let the petitioner be also given an opportunity of being heard before passing of the aforesaid order.

This writ application stands disposed of.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

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