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**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Civil Writ Jurisdiction Case No. 9484 of 2011**

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Rajendra Prasad Singh, Son of Late Ambika Singh Resident of Naya Tola Bihari Near Janki Rest House, Po-Jamui, P.S.-Jamui, District-Jamui.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Human Resources Department Government of Bihar, Patna.
3. The Director Secondary Education, Bihar, Patna.
4. The District Education Officer, Patna.
5. The Accountant General Bihar, Patna.

.... .... Respondent/s

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**Appearance :**
For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

ORAL ORDER

5 19-08-2015 Heard learned counsel for the petitioner.

From the counter affidavit filed on behalf of respondent no. 5, it appears that initially 90% pension and gratuity was authorized under P.O. and G.O. dated 12.07.2013 and for the remaining 10% also authorization dated 11.10.2011 and 13.09.2013 were issued. Copies of the said authorization have been made annexures to the counter affidavit. Copy of the counter affidavit has been served on learned counsel for the petitioner in January, 2015 but till date there is no rejoinder disputing the averments made in the counter affidavit.

In view of the aforesaid, this Court is satisfied that the payment of retiral dues to the petitioner have been made, as copies of orders or statements to that effect have

been made on oath by the concerned respondents.

Accordingly, the application stands disposed off. However, if actual payment to the petitioner has not been made under any head, he may prefer a representation before the respondents no. 3 and 4 within four weeks from today along with a copy of this order. If such a representation is filed, the respondents no. 3 and 4 after verification shall ensure that actual payment pursuant to the order passed in favour of the petitioner is made to him within the next four weeks positively, failing which the same shall bear interest at the rate of 9% per annum which shall be recovered from the respondents no. 3 and 4.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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