

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16438 of 2014

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Shri Basant S/o late Briksha resident of Machuatoli, Harijan Colony,
Domkhana, P.S. Kadamkuan, Town AND Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Department of Local Self Govt. of Bihar, Patna.
2. The Chairman Patna Municipal Corporation Budha Marg, Patna.
3. The Executive Officer, Patna Municipal Corporation Kankarbagh Division, Kankarbagh, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Adv 7 Mr. S.K. Pandey, Adv

For the P.M.C. : Mr. Ranjeet Kumar Pandey, Adv

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

3 06-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner while filing this writ application on 17.09.2014, had a grievance that non of his legitimate retirement benefits has been paid, whereas the respondents after obtaining instructions had come out with a clear stand that the petitioner is being paid monthly pension @ Rs. 5725/- per month, this Court must hold that the petitioner has tried to mislead this Court by not only making a vague prayer but also making false statement in the writ

petition.

Learned counsel for the Patna Municipal Corporation, has also explained that other retirement benefits of the petitioner shall be paid only in seriatim as per the date of his retirement inasmuch as the Patna Municipal Corporation is facing severe financial crunch and has been at present paying the amount of gratuity and leave encashment etc., only to the employees, who had retired till the date of 31.03.2012.

That being so, this Court would direct that the payment of other retirement benefits to the petitioner shall also be made when his turn comes strictly as per the seriatim and priority list being maintained by the officials of the Patna Municipal Corporation.

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

(Mihir Kumar Jha, J)

Ranjan/-

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