

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16220 of 2011

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Rita Kumari Wife of Late Ajay Kumar Sudhansu C/o Sanjay Kumar Lal, Resident of Mohalla-Lalji Tola, P.O., G.P.O., P.S. Gandhi Maidan, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Road Construction Deptt., Visheswaraya Bhawan, Bailey Road, Patna.
2. Special Secretary, Road Construction Deptt., Visheswaraya Bhawan, Bailey Road, Patna.
3. Secretary, Urban Development and Housing Deptt., Govt. of Bihar, Patna.
4. Deputy Secretary, Urban Development and Housing Deptt., Govt. of Bihar, Patna.
5. Municipal Commissioner, Patna Municipal Corporation, Maurya Complex, 2nd Floor, Patna.
6. Accountant General, Bihar, Patna.
7. The Director, Provident Fund, 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 JUDGMENT

Date: 10-11-2015

Heard learned counsel for the parties.

Pursuant to order dated 13.10.2015, the respondent no. 5 is present and files show cause as well as supplementary counter affidavit.

In view of unconditional apology tendered on behalf of respondent no. 5 for not having complied with the earlier order of the Court due to which he was directed to appear, the Court accepts such apology and does not deem it necessary to proceed against him in the matter. Accordingly, the issue stands consigned.

Though, the Court had not called the respondents

no. 1, 3 and 7 to appear but they are present. It is submitted that in order to assist learned State counsel and ensure that proper facts were placed before the Court, they have appeared. The Court must record its appreciation for such conduct which gives confidence to the Court in the system and also shows their *bona fide* with regard to doing their official job in a sincere and responsible manner.

Learned counsel for the State hands over drafts in the name of the petitioner for amounts of Rs. 2,22,530/-, 4,50,866/- and 4,45,974/- to learned counsel for the petitioner. Learned counsel submits that now all admitted dues of the petitioner have been paid.

Learned counsel for the respondent no. 5 also hands over a cheque of Rs. 4,02,631/- to learned counsel for the petitioner and submits that it is on account of difference of salary.

However, learned counsel for the petitioner has tried to point out some discrepancy in the payment *moreso*, with regard to calculation and pay scale which according to him should have been higher.

From the picture emerging, this Court feels that the admitted dues of the petitioner have been paid to her. The respondents themselves agree that they shall supply detailed calculation chart to the petitioner within two weeks. If the petitioner feels that there is any discrepancy with regard to the calculation/computation, she shall be at liberty to file a

representation before the authority concerned within four weeks from the date of receipt of such calculation chart along with a copy of this order. If such a representation is filed, the respondent concerned shall look into the matter and dispose off the representation within four weeks of its filing. If it is found that any further payment is to be made, the same shall also be paid to the petitioner within the next four weeks.

The writ petition stands disposed off in the aforementioned terms.

The appearance of the respondent no. 5 stands dispensed with.

(Ahsanuddin Amanullah, J.)

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