

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3704 of 2015

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Md. Hasibur Rahman, son of late Md. Yasin, resident of Mohalla Sheopur (Shahganj), P.O.- Mahendru, P.S. Sultanganj and District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna
2. Principal Secretary, Health Department, Bihar, Patna
3. Director in Chief, Health Service, Bihar, Patna.
4. State Leprosy Eradication Officer, Patna
5. District Leprosy Eradication Officer, Patna
6. District Magistrate, Patna
7. Special Work Officer (Establishment), Governor House, Patna
8. Accountant General, Birchand Patel Path, Patna- 800001
9. Superintendent-cum-Head of the department Skin, and Leprosy Department, P.M.C.H., Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mohammed Abu Haidar, Advocate.

For the Respondent/s : Mr. Ashok Priyadarshi, GA-4

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 19-03-2015

Heard learned counsel for the parties.

2. Having regard to the fact that the petitioner had retired on 30.04.2014 while holding the post of Non-Medical Assistant under the administrative control of District Leprosy Eradication Officer, Patna and that his full and final retirement benefit has not been settled as yet and he has been paid only the provisional amount of pension and Gratuity, this Court, taking into account that certain objections were raised by the office of the Accountant General in relation to certain entries in the service book of the petitioner, would direct the competent authority of the



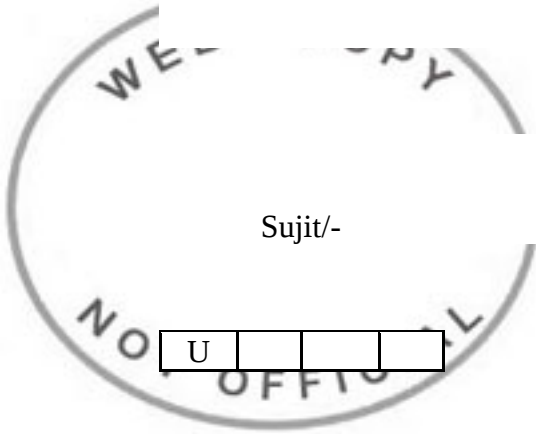
Health Department including the respondent no. 5, the immediate controlling authority of the petitioner, to ensure that whatever has to be done, at the level of the Health Department, for authorization of the full and final payment of pension and Gratuity, must be paid within a period of three months from the date of receipt of a copy of this order.

3. The office of the Accountant General also whereafter must ensure that a final decision be taken within one month from the date of receipt of corrected entries in the service book and/or any other query that has to be answered by the respondent officials of the Health Department.

4. This Court, therefore, would direct that whatever admitted amount of retirement benefit is payable to the petitioner must be paid by the concerned Treasury Officer upon authorization issued by the Accountant General within total period of six months from the date of receipt of a copy of this order.

5. Having regard to the fact that the petitioner has already been paid the amount of provisional pension and provisional Gratuity, he would not be entitled for payment of any interest if the entire admitted amount of retirement benefit is paid within a period of six months from the date of receipt of a copy of this order.

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



(Mihir Kumar Jha, J)