

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10397 of 2015

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Baikunth Prasad Singh, son of Late Mahgu Prasad Singh, resident of village- Parwati Mill, Sultanganj, P.S. Sultanganj, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar through the Secretary Human Resources Department, Patna, Govt. of Bihar, Patna.
2. The Director, Primary Education Department, Govt. of Bihar, Patna.
3. The District Education Officer, Munger, District- Munger.
4. The District Programme Officer, Munger, District- Munger.
5. The Accountant General, Bihar, Patna.
6. The Treasury Officer, Munger, District- Munger.

.... Respondents

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Appearance :

For the Petitioner : M/s. Sharda Nand Mishra and
Dhananjay Kumar Gupta, Advocates
For the State : M/s. Tej Pratap Singh, A.C. to G.P.17 and
J.P. Karn, Senior Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and the State.

It is submitted on behalf of the petitioner that despite the pension intimation memo and DCR gratuity payment order having been issued by the office of the Accountant General, no payment has been made by the Treasury Officer concerned. Similarly the Leave Encashment already allowed vide Annexure-2 on 28.04.2015 has also not been paid.

Accordingly, this writ application is being disposed of with a direction to the respondent no.6, i.e., the Treasury Officer, Munger to immediately take steps for payment of monthly pension and gratuity in view of Annexure-1 series in accordance

with law after making necessary calculation etc. if required within a period of two weeks from the date of receipt/production of a copy of this order and the respondent no.4, i.e., the District Programme Officer, Munger would be required to carry out the direction for payment of earned leave encashment amount within the aforesaid period failing which the petitioner would be entitled for simple interest @ 10% per annum upon the unpaid admitted amount to be calculated from the date the amount became due till the date of its final payment. So far the issue of payment of difference of salary in view of the 6th Pay Revision is concerned, the petitioner would be at liberty to approach the respondent no.3 by filing a representation along with a copy of this order who shall take a decision upon the same within a period of six weeks from the date of receipt/production of a copy of this order and, thereafter, immediately take consequential steps for payment of such difference of salary if the petitioner is found entitled.

(Dr. Ravi Ranjan, J)

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