

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13042 of 2011

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1. Jagdish Prasad S/O Late Raj Narayan Pd. R/O Vill. Nasariganj, P.O.-
Digha, P.S. Danapur, Distt. Patna.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Patna.
2. The Direcorate, Health Services, Govt. Of Bihar, Patna.
3. The D.M. Khagaria.
4. Civil Surgeon, Khagariya.
5. Incharge Medical Officer, Gogari.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate.

For the Respondent/s : Mr. M. D. Dwivedi, SC-23

Mr. Shushil Kumar Singh, AC to SC-23

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

5 21-01-2015 The petitioner retired, on 30.04.2004, as Health Inspector, Primary Health Centre, Gogari, Khagaria, and, upon his retirement, he has filed this writ petition, under Article 226 of the Constitution of India, seeking issuance of appropriate writ, order or direction to the respondents to give benefit of 2.5% for seniority, to pay amount of T.A., to pay the benefits of A.C.P. with 18% penal interest besides statutory interest and to revise the pension after giving due benefits and for grant of all consequential benefits.

The respondents have filed counter-affidavit, wherein it has been stated that the petitioner was given benefits of Assured Career Progression from 09.08.1999 vide letter, dated 18.01.2010,

by the Civil Surgeon Office, Khagaria, but the benefit of 2.5%, for seniority, was not awarded to him and that the revised pension and retiral benefits will be paid on receipt of the pay in slip/order from the office of Accountant General, Bihar. As regards the demand for payment of T.A. bills are concerned, it has been submitted by the respondents that T.A. bills had not been approved by the controlling officer during his period of service.

In view of the above, it is submitted that this writ petition be allowed to be withdrawn with liberty to make necessary correspondence with the office of the Accountant General, Bihar, Patna, and also examine the contention of the respondents and if the T.A. bills have been passed during his service period by the controlling officer, necessary representation be made to the competent authority.

In view of the above and in the interest of justice, the writ petition is hereby disposed of as withdrawn with liberty granted to the petitioner to approach this Court with appropriate application, in future, if so advised and also to take recourse to such provisions of law as may be permissible.

(I. A. Ansari, J.)

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