

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4888 of 2015

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Amrendra Kumar, Son of Late Ram Nandan Singh, resident of village -
Pinjaur, Police Station - Parasbigha in the District of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health Government of Bihar, Patna.
2. The Principal Secretary, Department of Health Government of Bihar, Patna.
3. The Regional Deputy Director, Health Services, Magadh Division, Gaya.
4. The District Magistrate, Jehanabad.
5. The Civil Surgeon-cum-Chief Medical Officer, Jehanabad.
6. The Additional Chief Medical Officer, Jehanabad.
7. The District Account Officer, Jehanabad.
8. The Treasury Officer, Jehanabad.
9. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 07-07-2015

Heard learned counsel for the parties.

2. Having regard to the fact that this writ application was filed on 30.03.2015 by the petitioner, who has retired from service on 28.02.2014 from the office of the Additional Chief Medical Officer, Jahenabad, and that his service-book has been sent to the District Accounts Officer for fixation of his pay in the revised pay scale, this Court, having found that the petitioner has already been paid the amount of provisional pension, provisional gratuity and the amount of leave encashment on the basis of the old pay scale, would direct all concerned authorities to ensure that

the petitioner's retirement benefit by way of full and final payment of pension, gratuity, provident fund and leave encashment, taking into account the revised pay fixed by the District Accounts Officer, is also paid within a period of four months from the date of receipt of a copy of this order.

3. There would be no question of payment of interest in this case because the petitioner's service-book is still under consideration for fixation of pay, therefore, there will be hardly any reason for the respondents to penalize them, who have already made payment by way of provisional pension, provisional gratuity and leave encashment.

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

(Mihir Kumar Jha, J)

Sujit/-

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