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.... Petitioner/s

1. The Patna Municipal Corporation through its Urban Commissioner having his Office at Maurya Lok Complex, P.S.- Kotwali, District- Patna.
2. The Chief Executive Officer, Patna Municipal Corporation having his office at Maurya Lok, P.S.- Kotwali, District- Patna.
3. The Executive Officer, Patna City Circle, Patna Municipal Corporation having his office at Patna City, Patna.

.... Respondent/s

For the Petitioner/s : M/S. Mukeshwar Dayal & Vikas Mohan
For the Respondent/s : Mr. Hargovind Singh Himkar

2 31-07-2015 Heard learned counsel for the petitioner and
Patna Municipal Corporation.

The petitioner claims to have been appointed as daily wages Safai Mazdoor on 30.06.1978 on a vacant post of Ward Nos. 21 and 22 by an order of the Assistant Administrator, Patna City Circle, Patna City. Thereafter, his service was regularized in the year 1985 and he eventually retired from service on attaining the age of superannuation on 28.02.2014. It is further claimed that the petitioner's pension was fixed and he was receiving the same, however, it is contended that other retrial benefits of the petitioner, such as gratuity, leave encashment, group insurance and remaining amount of provident fund have not



been paid to him as yet. It is claimed by the petitioner that out of the total sanctioned amount of 1,17,221/- only Rs.36,432/- has been paid to him and the rest amount has not been paid though it was promised that the remaining amount of Rs.81,789/- would be paid through crossed cheque.

In the above view of the matter, this writ application is being disposed of with a direction to respondent no. 2, the Chief Executive Officer, Patna Municipal Corporation, Patna to examine the matter of the petitioner and take a decision within a period of four weeks from the date of receipt/production of a copy of this order with regard to the retrial dues which have not been paid till date to the petitioner. If the petitioner is found entitled for payment, the same should be paid to him within a further period of four weeks from the date of taking such decision failing which the un-paid admissible amount will carry simple interest at the rate of 10 per cent per annum. That apart, the petitioner would also be entitled for grant of statutory interest on un-paid amount of gratuity, insurance and provident fund, if the same is found admissible to him. He would also be entitled for permissible interest, if any, on the gratuity in case such a decision has been taken by the State of Bihar.

It is further made clear that if the petitioner's

claim does not find favour with respondent no. 2, then he would be required to pass a reasoned order and communicate the same to the petitioner.

(Dr. Ravi Ranjan, J)

Amin/-

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