

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10847 of 2015

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Devendra Narain son of Late Chandra Shekhar Pd. Singh resident of Anand
Nilium, Sant Nagar, Ward No. 35, Gangjala, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. Accountant General, Veer Chand Patel Path, Bihar, Patna.
3. Finance Commissioner, Bihar, Patna.
4. Collector, Saharsa.
5. Regional Deputy Director, Education, Kosi Division, Saharsa.
6. District Education Officer, Saharsa.
7. Director Education Officer, Saharsa.
8. Director, Primary Education, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : M/S. Mallika Mazumdar

For the Respondent/s : Mr. Mithilesh Kumar Upadhyay, A.C. to
G.P.10

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 31-07-2015 Heard learned counsel for the petitioner and the
State.

As prayed for, learned counsel for the petitioner
is permitted to make necessary correction with respect to the
description of the respondents in course of the day.

The petitioner, who has retired in the year 2008
from the post of Assistant Teacher, claims that though he is
getting revised pension but has not been granted gratuity amount
after calculation on revised scale. He claims that the gratuity
should be paid to him on the revised scale of pay in view of
decision of the State Government contained in resolution dated

27.05.2013, appended as annexure-1 to the writ application.

Having regards to the aforementioned facts and circumstances, this writ application is being disposed of with a direction to respondent no. 8, the Director, Primary Education, Bihar, Patna to consider the claim of the petitioner in accordance with law and take a decision within four weeks from the date of receipt/production of a copy of this order. If the petitioner is found entitled for grant of revised gratuity as per his claim then the payment of the balance amount should be made along with statutory interest, if any, within a further period of four weeks, failing which the same will carry simple interest at the rate of 10 per cent per annum to be calculated from the date the same became due till the date of its final payment.

It is further clarified that if the petitioner's claim does not find favour with respondent no. 8 then a reasoned order would be required to be passed and communicated to the petitioner.

(Dr. Ravi Ranjan, J)

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