

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4574 of 2015

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Nirbhay Kumar Singh, Son of Ram Singhashan Singh, Resident of Village-
Jahangirpur, P.O.- Nayagaon, P.S.- Sheohar, District-Sheohar. At present
resident of Near R.D. Palace, Thana Road, Ward No. 19, P.O.- Sitamarhi,
P.S.- Sitamarhi, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources
Department, Bihar, Patna.
2. The Director Primary Education, Bihar, Patna.
3. The District Education Officer, Sitamarhi, District- Sitamarhi.
4. The District Programme Officer (Establishment), Dumara, District-
Sitamarhi.
5. The Block Education Officer, Riga, District- Sitamarhi.
6. The Treasury Officer, Sitamarhi.
7. The Accountant General, Bihar, Patna.
8. The Head Master-cum- Drawing/Disbursing Officer, Middle School,
Riga, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv

For the Respondent/s : Mr. Manikant Mishra GP-25

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 03-04-2015 Heard learned counsel for the parties.

The grievance of the petitioner in this writ application is as with regard to the non payment of his pension and gratuity. Learned counsel for the petitioner has explained that the petitioner had retired on 31.03.2014, while holding the post of teacher in Government Middle School, Simari, Riga in the district



of Sitamarhi and in fact had also submitted his pension papers along with other requisite documents on 28.05.2014, for its being transmitted for sanction by the competent authority as also its authorization by the Office of Accountant General.

In view of the aforementioned fact, this Court would direct firstly the D.E.O. Sitamarhi and D.P.O (Establishment), Sitamarhi, respondent nos. 3 and 4 to ensure that if the pension and gratuity of the petitioner has not been sanctioned as yet and the pension papers has not been sent to the office of the Accountant General the same must be done within a period of one month from the date of receipt of this order. If on the other hand for any technical objection, the pension papers cannot be sent on account of non compliance of mandatory requirement by the petitioner, an information should be given to the petitioner within the same period of one month so that he may remove the defects. The pension and gratuity of the petitioner



therefore, must be sanctioned as permissible in law within a maximum period of one month from the date of removal of the defect in pension papers by the petitioner or from the date of receipt of this order in case there is no defect. The office of the Accountant General is hereby also directed to ensure that authorization of pension and gratuity of the petitioner also must be made within a period of two months from the date of receipt of the sanction order and the pension papers from the office of respondent nos. 3 and 4. The amount payable to the petitioner under the head of pension and gratuity in any event must be paid to the petitioner within a total period of four months from the date of receipt of this order.

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

(Mihir Kumar Jha, J)

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