

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7050 of 2014

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Ram Bilash Modi, Son of Late Maheshwar Modi Resident of Village - Gaura, P.S. - Dhoraiya, District Banka. At present resident of Mohalla - Purandaha Kamal Kothi, P.S. Deoghar, district Deoghar State Jharkhand.

.... Petitioner

Versus

1. The State of Bihar.
2. The Accountant General, Bihar, Patna.
3. The Secretary, Minor Water Resources Department, Bihar, Patna.
4. The Executive Engineer, Nalkoop Division, Gaya.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate.

For the Respondent/s : Mrs. Nivedita Nirvikar, GA-7
Mr. Sanjay Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

ORAL JUDGMENT

Date: 09-09-2016

Heard learned counsel for the parties.

The petitioner has sought directions to the respondents to make immediate payment of retiral benefits. The petitioner retired from the post of Assistant Engineer on 30.09.2012 and that the retiral benefits have not been paid to him.

In the counter affidavit filed on behalf of the respondent nos. 1, 3 and 4, it is stated that the petitioner was appointed in Water Resources Department but the said department has not been impleaded as respondent.

Fact remains that the petitioner has not been paid retiral benefits though he retired in September, 2012. Therefore, the

respondents as well as Secretary Water Resources Department, Government of Bihar, Patna is directed to make payment of all the retiral benefits including the pension, leave encashment, gratuity, GPF, Group Insurance, etc, within a period of three months from the date of receipt of the copy of this order in accordance with law. The petitioner shall be entitled to interest at the rate of 10% from the due date of retrial benefits till final payment of all the retiral benefits, if the payment is not made within three months. Interest will be recovered from the officers who have delayed the payments.

Accordingly, this writ application is disposed of with above direction.

(Hemant Gupta, J)

Mishra/-

AFR/NAFR	N.A.F.R
CAV DATE	N.A.
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