

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7280 of 2016

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Sri Nepal Ram S/o Late Ghogha Ram, Resident of village- Ibrahimabad,
P.S.- Baiya Raniganj, District- Balia (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar through Secretary cum Commissioner Soil Chemist
Agriculture Department, Bihar, Patna
2. The Senior Accountant General (A&E), Bihar, Patna
3. The District Agriculture Officer cum Assistant Director (Chemist),
Lakhisarai
4. The Sub Divisional Agriculture Officer, Purnea
5. The Treasury Officer, Purnea

.... Respondent/s

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Appearance :

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

For the Respondents : Mr. Madhuresh Singh, AC to G.P. 16

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 22-09-2016 Heard the parties.

The petitioner, who claims to have superannuated from service on 31.10.2013 from the post of peon, has filed the present writ petition raising a grievance that his lawful post retiral dues are not being paid to him.

In view of the nature of grievances/claims raised on behalf of the petitioner in the present writ petition, this Court is of the opinion that instead of keeping the matter pending asking the respondents to file their counter-affidavit, the interest of justice shall be sub-served if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent No.3 with all supporting documents raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a fresh comprehensive representation is filed on behalf of the petitioner within a period of one month from today

with a certified copy of the present order, then the respondent No.3 either himself or any other competent authority of the respondent State, as per his endorsement, shall be obliged to consider and decide the claims of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to the petitioner, at an early date preferably within a period of four months from the date of filing of such representation by the petitioner.

If on consideration of the materials the competent authority comes to a conclusion that claims raised on behalf of the petitioner are admissible to him, then consequential order shall also be issued for grant of such admissible claims without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the present writ petition and it is left to be decided by the competent authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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