

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7408 of 2016

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Chandrashekhar Ram, S/o Late Banshi Ram, resident of Village - Satpura,
P.O. - Satpura, P.S. - Garaul, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue Department, Government of Bihar, Patna.
3. The Commissioner, Tirhut Division, Muzaffarpur.
4. The District Magistrate, Vaishali at Hajipur.
5. The Provident Fund Officer, Vaishali at Hajipur.
6. The Circle Officer, Hazipur.
7. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Adv.

For the Respondent nos.1to6 : Mr. Rajiv Roy, GP-1

Mr.Arun Kumar, AC to GP-1

For the Respondent no.7 : Mr.Kameshwar Prasad Gupta, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 23-09-2016

Heard the parties.

The petitioner, having superannuated from service on 30.11.2014 from the post of Revenue Karamchari, Circle Office, Hajipur, has filed the present writ petition for payment of his post-retiral dues enumerated in paragraph 1 of the writ petition.

In view of the nature of the 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 and 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 District Magistrate, Vaishali at Hajipur with all supporting documents and raising all the pleas, which have been raised in the

present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the petitioner with a certified copy of the present order within a period of one month from today, then the respondent District Magistrate, Vaishali at Hajipur either himself or any other competent authority of the respondent State, as per his endorsement, shall be obliged to consider and decide the claims raised on behalf of the petitioner, by a reasoned and speaking order, after giving an opportunity of hearing to the petitioner, besides others, if any, at an early date, preferably within a period of two 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 the claims raised on behalf of the petitioner are admissible to him, then the consequential orders 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.

Arvind/-

(Birendra Prasad Verma, J)

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