

Civil Writ Jurisdiction Case No.11856 of 2015

Ramashish Rai (Retd. Correspondence Clerk) Son of Jageshwar rai,
Resident of Village - Ranitol Bhagwanpur, P.O. - Rupasbag, Police Station
- Bachhwara, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, water Resources Department, Govt. of Bihar, Patna
2. The Chief Engineer, Water Resources Department, Birur Division, District - Supaul.
3. The Superintending Engineer, ast Koshi Embankment Circle, Saharsa, District - Saharsa.
4. The Superintending Engineer, Canal Circle, Saharsa, District - Saharsa.
5. The Executive Engineer, Irrigation Division, Triveniganj, District - Supaul.
6. The Executive Engineer, Water Emission Division, Kopariya, District - Saharsa.
7. The Provident Fund Officer, District Provident Fund Cell, Saharsa, District - Saharsa.
8. The Treasury Officer, Begusarai, District- Begusarai.
9. The Accountant General, Bihar, Patna, Bir Chand Patel, Path, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Verma, Advocate
For the State : Mr. Anish Kumar, AC to AAG-8
For Acct. General : Mr. Ranjan Kumar, Standing Counsel

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 22-10-2016 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner has come up to this Court for a direction upon the respondents to pay his post retiral dues.

In the counter affidavit the stand has been taken that all the necessary sanctions and authority slips with regard to different post retiral dues have already been issued but they have not been paid on account of non-appearance of the petitioner at



Headquarters, not submitting employee information system paper, his Bank account No., not handing over charge of files and also not vacating the Government Quarter and further that he has not submitted Prapatra-C for which several reminders were sent to him.

In reply to the same, the petitioner has submitted that the respondent No. 8, the Executive Engineer, Water Emission Division, Kopariya, District – Saharsa has made false allegations and the petitioner has, in fact, submitted all relevant documents after retirement. So far as Prapatra-C is concerned, it is not for a retired employee. It is also stated that employee information is in possession of the Department. With regard to the Bank A/c, it is stated that arrears of salary was paid in the State Bank of India, Saharsa and the pensionary dues are to be paid in the same A/c. It is further asserted that no file is in possession of the petitioner and the petitioner had handed over the key of Almirah to the Respondent No. 6 on 28.8.2014 and thereafter the charge report was snatched by the respondent No. 6 through his employees and he threatened the petitioner that he will not pay any retiral dues as long as he is in service, for which the petitioner has also filed an application on 11.12.2014 before the Respondent No.3, Superintending Engineer. It is also asserted



by the petitioner that he had already vacated the Government Quarter on 1.10.2014 and another employee is residing in the same.

On a consideration of the aforesaid facts and circumstances, it appears to be a case of either the petitioner having misbehaved with his erstwhile superior or a case where such superior, Respondent No. 6 is trying to ensure that the petitioner does not get his retirement benefits. This Court would not like to enter into such issues.

In the aforesaid circumstances, the writ application is disposed of with a direction to the respondent No.2, the Chief Engineer, Water Resources Department, Birpur Division, Supaul to ensure that whatever formalities are required with regard to charge report and other requisites as stated in the counter affidavit and in the reply to the same filed by the petitioner, are completed within a period of two months from the date of receipt/production of a copy of this order and thereafter the entire post retiral dues are paid to the petitioner within a further period of two months thereafter. The petitioner shall co-operate in the matter.

(Ramesh Kumar Datta, J)

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