IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11329 of 2012

==

Baban Bihari Singh S/O Late Gobardhan Singh R/O Village And Post Office- Bagh Majhaua Sunderpur, Police Station- Koelwar, District- Bhojpur (Arra) .... Petitioner

Versus

1. The State Of Bihar Through Sales Tax Commissioner-Cum-Principal Secretary Sales Tax Department, Government Of Bihar, Patna
2. Joint Commissioner, Sales Tax Department, Bihar, Patna
3. Deputy Commissioner, Sales Tax Department, Bihar, Patna
4. Under Secretary Sales Tax Department, Bihar, Patna
5. Deputy Secretary Finance Department (G.I. Sec.), Bihar, Patna
6. Provident Fund Officer, Patna
7. Deputy Commissioner, Sales Tax, Bokaro Circle, Bokaro, Jharkhand
8. The Accountant General, Bihar, Patna
9. Deputy Commissioner, Commercial Tax, Chirkunda Circle, Chirkunda .... Respondents

==

Appearance :

For the Petitioner : Mr. NAND KUMAR SINGH, Advocate
For the State : Mr.Ajay kumar Sharma, PAG
For the State of Jharkhand : Mr.Dhruba Mukherjee, AGG

==

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 02-09-2016

The petitioner was posted as Padchar (Peon) in Sales Tax Department, Bihar, Patna. He was appointed as Padchar (Peon) in Sales Tax Department on 7.10.1974 vide office order no.1351 dated 5.10.1974 and posted at Dhanbad. Subsequently, he was transferred from Dhanbad to Sales Tax Officer, Patna where he gave joining on 14.7.1992. He was compulsorily retired on 6.12.2010 from office of Commercial Tax under section 74A of the Bihar Service Code, 1952 with effect from 6.12.2010 vide memo no. 5357 dated 6.12.2010 issued by respondent no.1.

In the instant writ petition, the petitioner has raised a grievance that he has not been paid the retiral dues.

More than one counter affidavit have been filed on behalf of the State. It is stated that the retiral dues of the petitioner has been paid which is not disputed by the petitioner. However, petitioner submits that he is entitled to interest on delayed payment of retiral dues.

In my view, it will be open for the petitioner to put forth the claim before the department for payment of interest on his retiral dues, which would be considered on its own merit and representation so filed, would be disposed of within a period of three months thereof in accordance with law.

The writ petition is thus disposed of.

(Samarendra Pratap Singh, J)

Shashi.

AFR/NAFR	
CAV DATE	
Uploading Date	8.9.2016
Transmission Date	