

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5455 of 2014

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1. Balindra Prasad Rai Son Of Late Yugal Kishore Rai Resident Of Village: Mauja Sidpur, P.O. Dhanauti, P.S.- Dhanauti (O.P.), District: Siwan. At Present Mohalla: Naya Bazar, Near Bhawnath Temple, P.S. Siwan Town, P.O. And District: Siwan

.... Petitioner/s

Versus

1. The State Of Bihar, through the Principal Secretary Education Department, Bihar, Patna
2. The Director, Secondary Education, Bihar, Patna
3. The District Magistrate, Gopalganj
4. The District Education Officer, Gopalganj
5. The Headmaster, Dr. Rajendra Prasad Senior Secondary School, Hathua, Gopalganj
6. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.
For the State : Mr. S.S.Yadav, SC-14
For the Accountant General : Mr. Ram Yash Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 22-11-2016

This writ application has been filed by the petitioner for directing the respondent authorities to pay him post-retiral dues.

2. The petitioner joined the service of Assistant Teacher on 16th February, 1978 at High School, Tungi. He retired on 30th June, 2012 on attaining the age of superannuation as In-charge Head Master of Dr. Rajendra Prasad High School, Hathua.

3. It is submitted that after retirement, the petitioner submitted his application for grant of pensionary benefits in requisite form, but only Provident Fund amount was paid to him.

4. It is not stated in the writ application that payments under which head are still due to be paid to the petitioner.

5. Learned counsel for the Accountant General has submitted that the sanction for authorization of pension along with up-to-date service book of the petitioner was sent to the office of the Accountant General by the District Education Officer, Gopalganj vide letter no. 357 dated 12th August, 2015 and the Accountant General authorized the pension and gratuity of the petitioner vide office authority No. Pen-05-201511052109 PO/GO dated 11th September, 2015.

6. Though no counter affidavit has been filed on behalf of the State, Mr. S.S. Yadav, learned counsel appearing for the State has submitted that if admissible dues of the petitioner have not been paid till date, the same shall be paid to the petitioner without any delay.

7. In the facts and circumstances of the case and in view of the submission made by the learned counsel for the State, the application is disposed of with a direction to the petitioner to file a representation before the District Education Officer, Gopalganj in respect of unpaid post retiral dues within two weeks from today. In case such a representation is filed, the District Education Officer, Gopalganj is directed to pay all the admissible retiral dues of the petitioner within six weeks thereafter.

8. With the aforesaid observation and direction, the application is disposed of.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	----
Uploading Date	25-11-2016
Transmission Date	