

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11558 of 2014

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Inamul Haque Khan, S/O Late Shamsuzzaman Khan, resident of
village- Salim Nagar, P.S.- Mahesh Khunt, District- Khagaria
.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Home, Bihar, Patna
 2. The Joint Secretary-cum-Director, Administration Inspectorate of Prison and Reforms Services, Department of Home, Bihar, Patna
 3. The Inspector General of Prison, Bihar, Patna
 4. The Jail Superintendent, Mandal/Division Prison, Bhabhua
 5. The Accountant General, Bihar, Patna Respondents
- =====

Appearance :

For the Petitioner : Mr. Sunil Kumar Thakur, Advocate

For the Respondents : Mr. Arvind KUMAR, AC to GP 23

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL JUDGMENT

Date: 20-08-2016

The petitioner, who retired on 31.12.2012 while posted as Jail Warden/Kakshpal, Mandal/Divisional Prison, Bhabua, prays for payment of all the admissible post retiral benefits.

The petitioner submits that now he has become paralyzed and is not in a position to do the running from one office to the other for payment of balance of retiral dues.

Counter affidavit has been filed on behalf of respondents no. 1 to 4. In paragraph 6, they state that as and when pension papers of the petitioner is received by the AG office, the same would be sent to the concerned treasury with no dues certificate. Petitioner has also been paid Rs.90,756/-

towards provisional pension, Rs.3,52,331/- towards the gratuity, Rs.93,347/- towards the group insurance, Rs.2,81,455/- towards GPF deposits and Rs.1,72,007/-towards the leave encashment.

From perusal of the counter affidavit, it appears that final pension, gratuity and arrears accruing on account of it, are still to be decided.

In the facts of the case, I direct respondent no.5 to issue necessary order authorizing payment of final pension to the petitioner, if not already issued, as the pension paper of the petitioner has already been forwarded to its office vide letter no.1176 dated 1.9.2014. State respondents would also ensure payment of final gratuity amount to the petitioner within three months from the date of receipt of a copy of this order.

The writ petition is disposed of with the aforesaid directions.

(Samarendra Pratap Singh, J)

Shashi.

AFR/NAFR	
CAV DATE	
Uploading Date	24.8.2016
Transmission Date	