

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5478 of 2015

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Satyadeo Singh, son of Late Basudeo Singh, Resident of Village- Sari Patti, P.O. and P.S.- Bhagwanpur, District- Siwan.

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.... Petitioner

Versus

1. The State of Bihar, through the Commissioner cum Secretary, Excise Department, Government of Bihar, Patna.
2. Superintendent, Excise, Gopalganj, District- Gopalganj.
3. The Accountant General Bihar (A & E), Birchand Patel Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra, Advocate
For the State : Mr. Anshuman Singh, AC to PAAG-1
For the Accountant General : Mr. Amar Nath Singh, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 20-08-2016

Learned counsel for the State is permitted to mark the relevant Annexure at pages 15 and 16 of the counter affidavit in course of the day.

Learned counsel for the petitioner is also permitted to make necessary correction in paragraph 1 of the writ petition in course of the day.

Heard parties.

The petitioner has filed this writ application for revision and re-fixation of the pension on account of 6th pay revision.

Counter affidavit has been filed on behalf of the State appending therewith an Authority Slip issued by the office of the

Accountant General (A & E), Bihar, Patna stating that pension and gratuity have already been revised. The documents have been appended as Annexure D and E to the counter affidavit.

However, it is contended on behalf of the petitioner that the revision would also affect the amount of leave encashment as the 6th pay revision would be applicable from the date of 1.04.2007 and the petitioner has retired on 31.05.2007.

Accordingly, this writ application is being disposed of with a direction to the respondent nos. 1 and 2 to take a decision upon the aforesaid grievance of the petitioner within a period of three months from the date of receipt/production of a copy of this order. If the petitioner's claim finds favour with the respondents then immediately sanction order should be passed and transmitted to the competent authority so that payment could be made.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	15.09.2016
Transmission Date	N.A.