IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2999 of 2016

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Raghunandan Prasad Son of Late Bhikhari Mahto, Resident of Mohalla Hanuman Nagar, P.S. - Patrakar Nagar, Kankarbagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Chief Secretary, Animal and Fisheries Resources Department Government of Bihar Patna, New Secretariat, Patna.
2. The Director, Animal and Fisheries Resources Department, New Secretariat, Patna.
3. The Principal Chief Secretary, Department of Finance, Government of Bihar, Patna.
4. The Accountant General, Bihar Patna.
5. The District Treasury Officer, Patna.
6. The Zonal Manager, Main Branch, State Bank of India, West to Gandhi Maidan Patna.
7. The Chief Manager, Pension Cell Branch, State Bank of India, Anta - Ghat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Griyaghey
For the SBI	:	Mr. Rakesh Kumar Singh
For the AG	:	Mr. Chandan Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 22-10-2016 Heard both sides.

The petitioner superannuated from the service of the State Government as Sub-Division Vetenrary Surgeon in 2001 and has filed the writ application for payment of arrear of differential amount of pension due to financial up-gradation w.e.f. 01.04.2007 as also the interest.

The respondent-Bank in paragraphs 6 and 7 of the counter affidavit has stated as under:

> *"6. That it is further submitted that as per the PPO dt. 16.07.2012 issued by the respondent no. 4 (annexure-3 of the writ petition), the pension of the petitioner was revised accordingly. The basic pension of the petitioner was revised from Rs. 6,015/- to Rs. 7,373/- w.e.f. 01.01.2002 to 31.12.2004. The pension of the petitioner was again revised from Rs. 9,023/- to Rs. 11,060/- from 01.01.2005 to 31.03.2007 and it was further revised from Rs. 13,595/- to 16,665/- from 01.04.2007 to 31.10.2012. The arrear of the said revised amount Rs. 4,01,099/- since 01.01.2002 to 31.10.2012 was credited in the account of the petitioner on 07.11.2012 and petitioner is getting pension from Nov. 2012 with basic pension of Rs. 16,665/-*
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> *"7. That it is further stated that the respondent no. 4 again issued a revised PPO dt. 19.09.2013 (annexure-4 of the writ application) where as the pension of the petitioner was again revised from Rs. 7,373/- to Rs. 7,852/- w.e.f. 01.01.2002 to 31.12.2004 and again the pension was revised from Rs. 11,060/- to Rs. 11,778/- since 01.01.2005 to 31.03.2007 and again revised from Rs. 16,665/- to Rs. 17,746/- w.e.f. 01.04.2007 to 31.12.2013 and arrear of Rs. 1,76,592/- from 01.01.2012 to 31.12.2013 was credited in the account of the petitioner on 29.01.2014."*

Seen thus, it appears the respondent Bank considering the grievance of the petitioner has already revised the pension payable to the petitioner. Such revision was made by the respondent-Bank prior to the filing of the writ application.

The counsel for the petitioner states that there is some dispute with respect to the D.A. payable to the pensioner as well as the calculation of the dues.

Having heard the parties, this Court dispose of the application by permitting the petitioner to represent before the appropriate Authority of the respondent-Bank for the remaining grievance for consideration and disposal in accordance with law.

Be it noted that the respondent-Bank is only entitled to consider the discrepancy in the calculation. If there is any claim with regard to the further payment of the dues on account of D.A., the petitioner would be at liberty to represent before the Accountant General for consideration and disposal in accordance with law.

The writ application is disposed of.

(Kishore Kumar Mandal, J)

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