

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6978 of 2016

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Bhuwneshwar Prasad Yadav, son of Late Ranjan Prasad Yadav, resident of village- Daribari, P.O. + P.S.- Baniyapur, District- Saran (Chapra), retired while working as Senior Accounts Clerk Water Resources Department, mechanical irrigation Division, Valmikinagar, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Government of Bihar, Patna
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna
3. The Superintending Engineer, Irrigation Circle, West Champaran, Bettiah
4. The Executive Engineer, Water Resources Department, Mechanical Irrigation Division, Valmikinagar, District- West Champaran
5. The District Magistrate, West Champaran at Bettiah
6. The District Treasury Officer, West Champaran at Bettiah
7. The Regional Manager, Punjab National Bank, Patna
8. The Branch Manager, Punjab National Bank, Branch Baniyapur, P.O. + Police Station- Baniyapur, District- Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Adv
For the Respondent nos.1to6 : Mr. Upendra Pratap Singh, AC to SC-4
For the Respondent nos.7&8 : Mr. Raj Nandan Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 22-09-2016

Heard the parties.

The petitioner, having superannuated from service on 31.01.2004 from the post of Senior Accounts Clerk, has filed the present writ petition raising a grievance that his pension is not being revised in the light of the recommendation made by the 6th Pay Revision Commission, though he is getting pension and other retiral benefits have been paid to him.

In view of the nature of the grievances raised on behalf of the petitioner in the present writ petition, this Court is of the opinion that, instead of keeping the matter pending before this Court asking the respondents to file their counter affidavit, the

interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent no.3 with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed on behalf of the petitioner with a certified copy of the present order within a period of one month from today, then the respondent no.3 either himself or any other competent authority of the respondent State, as per his endorsement, shall be obliged to consider and decide the claims raised on behalf of the petitioner, by a reasoned and speaking order, after giving an opportunity of hearing to him, besides others, if any, at an early date, preferably within a maximum period of one month from the date of filing of such representation by the petitioner.

If on consideration of the materials, the competent authority comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims without any unnecessary further delay.

The writ petition stands finally disposed of with the observations and directions made above.

Arvind/-

(Birendra Prasad Verma, J)

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