

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12749 of 2014

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1. Rajendra Prasad Malakar Son of Late Karu Mali Resident of Village and P.O.- Guguldih, P.S.- Gidhour, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Personnel and Administrative Department, Govt. of Bihar, Patna.
2. The District Magistrate, Jamui.
3. The Chief Medical Officer- cum- Civil Surgeon, Jamui.
4. The Treasury Officer, Jamui.
5. The Accountant General, Bihar, Patna, Distt- Patna.
6. Assistant General Manager, Compassionate Pension Centre, State Bank of India, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore

For the Respondent/s : Mr. S. Rahman, AC to SC-7

For Accountant General : Mrs. Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-07-2016

Heard learned counsel for the parties.

The petitioner retired with effect from 31.08.1999 after attaining the age of superannuation as Vaccinator from the office of the Medical Officer, Jamui.

It is his grievance that his pension has not been revised giving full benefits of 5th or 6th Pay Commissions' recommendations.

A counter affidavit has been filed on behalf of the Respondents State of Bihar, stating in paragraph 20 that upon his retirement, pension at the rate of Rs. 2136/- per month was fixed with effect from 01.09.1999. Subsequently,

giving full benefits of 5th Pay Commission recommendation, pension at the rate of Rs. 2276/- came to be approved and paid with effect from 01.09.1999. Further, benefit of 6th Pay Commission recommendation has also been given to the petitioner with effect from 01.04.2007 by fixing his pension at the rate of Rs. 5145/- per month.

In such view of the matter, it appears that nothing is required to be done in the present matter.

It will, however, be open to the petitioner to raise objection before the competent authority, if according to him, any fixation is done is less than his actual entitlement.

This application is, accordingly, disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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