

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7845 of 2013

=====

1. Rajeshwar Sharma S/O Late Baldeo Sharma Resident Of Village- Madhopur,
P.S- Janipur, District- Patna, At Present Head Master, Neohara, Primary School,
Neohara, Phulwarisharif, Patna.

.... Petitioner/s

Versus

1. The State Of Bihar, Through Principal Secretary, Department Of Human
Resources, New Secretariat, Patna.
2. Principal Secretary, Department Of Human Resources, Government Of Bihar,
Patna.
3. Deputy Director, Education, Patna Division, Patna.
4. District Education Officer, Patna District- Patna.
5. District Superintendent Of Education (D.S.E), Patna
6. Drawing And Disbursing Officer, (D.D.O), Phulwarisharif, Patna.
7. Treasury Officer, Patna Collectorate, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Respondent/s : Mr. Anjani Kumar, AAG-6

Mr. Sanju Kumar, A.C. to A.G.G.6

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date: 10-05-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

In the present case, limited grievance has been raised
by the petitioner to the extent that he has not been paid the
increment of his salary from 01.01.1996 till date and submits that
though in the paper he has given increment, but in fact no amount
has been paid to him.

Learned counsel for the State submits that all the
grievances of the petitioner have been redressed including the

petitioner has been paid the increment amount with interest as has been claimed by the petitioner, which is apparently clear from the letter of the Drawing and Disbursing Officer, Phulwarisharif, Patna, dated 23.11.2012, addressed to the District Programme Officer (Establishment), Patna.

Whereas, the learned counsel for the petitioner has pointed out two letters; one is of Treasury Officer dated 11.10.2012, where it has been mentioned that there is no separate account for the payment of interest to the petitioner and another is of the District Programme Officer (Establishment) dated 19.03.2013, which indicates that the petitioner has not been paid the increment amount as has been mentioned above and given direction to the Principal of the Head Master of the concerned school to make payment of the same.

The letters which have been produced before this Court are conflicting in nature; the letter of Drawing and Disbursing Officer 23.11.2012 shows the payment, whereas the letter dated 11.10.2012 of the Treasury Officer and the letter of the District Programme Officer dated 19.03.2013 show that the increment amount as well as interest has not been paid to the petitioner.

For resolving the dispute, this Court directs the

Commissioner to call for the records of the case from the authority concerned and verify the status of the payment in terms of the claim of the petitioner. If the payment has already been made, the question of further payment does not arise. If the payment has not been made, he must give a direction for payment of the amount including the interest as the petitioner is entitled for the same.

For convenience, let the petitioner file a complete application / representation before the Commissioner, annexing all the relevant documents. If such application / representation is filed, the Commissioner is directed to disposed of the same within a period of three months from the date of filing of such application / representation after hearing the official concerned.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

U			
---	--	--	--