

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6291 of 2012

=====

1. Abdul Ghaffar S/O Md. Hussain Ansari R/O Mohalla- Neel Kothi, Pali Road, P.S.- Dehri-On-Sone, District - Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Minor Water Resources Department, Government Of Bihar, Vikas Bahwan, Patna
3. The Chief Engineer, Minor Water Resources Department (North), Muzaffarpur
4. The Executive Engineer, Minor Irrigation Division, Hazipur, District- Vaishali
5. Sri Ram Gopal Rawat, Executive Engineer, Minor Irrigation, Hazipur
6. Accountant General, Bihar, Patna, Birchand Patel Road, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner : Mr. Alim Jang Khan
For the State : Mr. Anil Kumar Sinha, GA 9
Mr. Pawan Kumar, AC to GA 9
For Accountant General : Mr. Prabhat Ranjan

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

4 21-07-2016 In pursuance of this Court's order, dated 05.07.2016, Shri Subhash Chandra Singh, Chief Engineer, Minor Water Resources Department (North), Muzaffarpur (respondent no. 3), is personally present in Court.

 Heard learned Counsel for the parties concerned.

 This application has been filed seeking direction for payment of post retiral dues of the petitioner. The petitioner retired as Junior Engineer, while working in

Minor Irrigation Department, Hajipur, Vaishali.

It is the specific stand taken on behalf of the respondent-State of Bihar that entire amount has since been paid to the petitioner in the year 2012. A stand has been taken that since the petitioner did not hand over the charge after his superannuation, despite authority slip having been issued by the Accountant General, in the absence of 'No Dues Certificate', the amount could not be released in favour of the petitioner. It is accordingly his submission that there is nothing further, which is required to be paid to the petitioner.

Learned Counsel for the petitioner has submitted that the petitioner is entitled for interest on account of delayed payment of pensionary benefits. He has submitted that despite the petitioner was willing to hand over the charge, there was none to take over the charge from him.

Such dispute cannot be entertained in the present application, seeking direction for payment of pensionary benefits.

This application stands disposed of in view of the fact that the pensionary benefits have since been paid to the petitioner.

The personal appearance of the Chief Engineer,

Minor Water Resources Department (North), Muzaffarpur
(respondent no. 3) is dispensed with.



Prabhakar Anand/-

(Chakradhari Sharan Singh, J.)