

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12958 of 2015

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1. Dinesh Sharma, S/o Late Gaya Sharma, resident of Village:- Chainpura, P.S:-
Parasbigha, P.O:- Sakurabad, Distt:- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Jehanabad.
3. The District Provident Fund Officer, Jehanabad.
4. The Treasury Officer, Jehanabad.
5. Block Development Officer, Kako, Jehanabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Respondent/s : Mr. GP12-MADHURESH PRASAD

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-02-2016

Now that the necessary corrections have already been made in the Treasury Management and Information System, petitioner has started drawing the current salary for which evidence has been produced as Annexure- B.

So far as payment of balance salary, which was held up due to wrong date having been fed in the system, a sum of Rs.3,40,596/- has been calculated. Respondents have taken a plea that they do not have requisite funds. No sooner it will be allotted payment will be made to the petitioner.

Since money under the head of salary has not accrued to the petitioner for no apparent fault of his, non-availability of fund

cannot be a ground for non payment as such. The Court directs the District Panchayati Raj Officer as well as District Magistrate, Jehanabad to ensure that the petitioner begets his arrears of salary within a period of 10 weeks from the date of production of a copy of this order or else the respondents will be saddled with payment of interest as well on the outstanding salary at the rate of 10% per month simple in nature till payment is made. If interest has to be paid by the Government because of the non- compliance of the order, that interest amount will be recovered from the people responsible for not complying with the order within the stipulated period.

Writ is disposed of with the above direction.

(Ajay Kumar Tripathi, J)

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