

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8888 of 2014

Arjun Prasad Verma, son of late Rameshwar Lal, resident of village and P.S.- Deep Nagar, District Nalanda

.... Petitioner

Versus

1. The State of Bihar through Commissioner cum Secretary, Health Services, Bihar, New Secretariat, Patna
2. The Additional Secretary, Department of Health, New Secretariat, Patna
3. The Director in Chief, Health Services, Bihar New Secretariat, Patna
4. The Director, TBDC, Agamkuan, Patna- 800007
5. The Accountant General, Bihar, Patna

.... Respondents

Appearance :

For the Petitioner/s : Mr. Prahalad Kumar Bhagat, Advocate
For the State : Md. Ishad, AC to SC-18
For the A.G. : Mr. Jitendra Kumar Roy, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 30-01-2016

Heard parties.

The matter was earlier heard on 17.11.2014 by a coordinate Bench of this Court and was adjourned awaiting the decision in the concerned Letters Patent Appeal.

It is submitted by the petitioner that the L.P.A. No.390/2014 has already been allowed and the order of the learned Single Judge passed in CWJC No.7362/2003 has been set aside and the order dated 24.01.2003 passed by the Disciplinary Authority dismissing the petitioner from service has also been set aside. Further, a direction has been given to the respondent to forthwith release the

pensionary benefits to the appellant of aforesaid appeal.

The petitioner contends that some of the retiral dues have already been paid but several dues are still to be paid.

Accordingly, this writ application is being disposed of with liberty to the petitioner to approach the Director-In-Chief, Health Services, Bihar, i.e., the respondent no.3 by making a representation raising his grievance regarding the non-payment of dues of salary and retiral benefits, which should be examined by him and necessary steps regarding its payment should be made in accordance with law. He would be obliged to peruse the order passed by a Division Bench of this Court in Letters Patent Appeal No.390/2014, a copy of which should be furnished by the petitioner along with the representation and, thereafter, necessary decision should be taken. If he comes to the conclusion that dues are to be paid to the petitioner then steps for such payment should immediately be taken along with statutory interest, if any, payable to him. If the certain dues require authorization by the Accountant General, Bihar then necessary sanction letters should be issued and forward to the Accountant General. Thereafter, the Accountant General, Bihar would be required to issue necessary authorization in accordance with law expeditiously but not later than eight weeks from the date of receipt of the sanction letter. However, if he comes to the conclusion that for some reason or other, the

petitioner is not entitled for such payment as stated in his representation then a reasoned order would be required to be passed and communicated immediately to the petitioner.

It is expected that the whole exercise would be completed within a period of three months from the date of production of representation along with a copy of this order by the petitioner.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

U			
---	--	--	--