

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8901 of 2014

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Krishna Nandan Prasad, S/o Late Meva Prasad resident of Puna, P.S. Hilsa,
District - Nalanda

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, H.R.D. Department, Govt. of Bihar, Patna
3. The Director, Administration - cum - Joint Secretary, H.R.D. Department, Govt. of Bihar, Patna
4. The District Education Officer, Gaya
5. The District Programme Officer, Establishment, Gaya
6. The Secretary, Finance Department, Govt. of Bihar
7. The Accountant General, Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner : Mr. Sri Krishna Ranjan, Advocate
For the State : Mr. Sanjay Sinha, AC to GA-4
For the A.G. : Mrs. Vivedita Nirvikar, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 30-01-2016

Heard parties.

It is contended on behalf of the petitioner that though a decision has been communicated to the District Programme Officer Establishment, Gaya by the Finance Department for payment of retiral dues to the petitioner and an intimation was also given to the office of the Accountant General, Bihar by it, however, even after a representation vide Annexure-3 having been filed by the petitioner, nothing has been paid against the heads as stated in Annexure-1 by the District Programme Officer.

Accordingly, I direct the Principal Secretary, Department of Education, Bihar, Patna to consider this writ application as a representation and take necessary steps for the payment to the petitioner in view of the decision contained in Annexures- 1 and 2. He will also fix responsibility for no action having been taken as a letter was written on 12.06.2013, still no payment has been made, however, if the same has already been paid to the petitioner, no such action would be required. If it is found that payment has not been made to the petitioner without any rhyme and reason and any fault on his part then the petitioner would also be entitled for simple interest @ 8% per annum to be calculated from the date the amount became due till the date of its payment to the petitioner. The interest so paid in favour of the petitioner would be open to be recovered from the erring official if the Principal Secretary comes to the conclusion that due to negligence on the part of such officer payment was not immediately made in favour of the petitioner within a reasonable period.

It is expected that the entire exercise would be completed within a period of three months.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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