

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19932 of 2014

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Akshayabher Nath Pandey son of Late Ram Janma Pandey, resident of
Village- Jamuni Dihta, P.S.- Rajpur, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Bihar, Patna
2. The Director, Primary Education, Education Department, Bihar, Patna
3. The District Magistrate, Buxar
4. The District Provident Fund Officer, Buxar
5. The Treasury Officer, Buxar
6. The District Education Officer, Buxar
7. The District Programme Officer (Establishment), Buxar
8. The Accountant General, Bihar, Birchand Patel Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 05-02-2016 Heard Sri Rana Ishwar Chandra, learned counsel for

the petitioner, learned AC to SC No. 13 as well as learned counsel

for the Accountant General, Bihar.

The petitioner, who superannuated with effect from
31.1.2014 as Assistant Teacher has approached this court by
filing the present writ petition under Article 226 of the
Constitution of India for directing the respondents to pay all the
retiral dues. It has been argued that till date after retirement
nothing has been paid to the petitioner. The petitioner has also
claimed for arrear of salary from the period of September 2012



to January 2014. A specific stand has been taken in paragraph no. 6 of the writ petition that after retirement in the month of February, 2014 itself the petitioner had submitted all the required documents in the office of the respondent no. 7 i.e. District Programme Officer (Establishment) Buxar. However, learned AC to SC No. 13 by way of referring to the averments made in the counter affidavit filed on behalf of the respondent no. 6 and 7 submits that petitioner had not submitted his pension paper and as such, it has not been settled till date. He has also referred to Annexure- 'A' series to substantiate that the petitioner was also communicated regarding the submission of pension paper.

Be that as it may, it has specifically been asserted by learned counsel for the petitioner that on the date of retirement neither any departmental proceeding was pending against the petitioner nor any criminal case was pending against the petitioner. In view of the facts and circumstances particularly the fact that petitioner superannuated with effect from 31.1.2014 and it has been asserted that petitioner has submitted pension paper, the court is of the opinion that writ petition can be disposed of with a direction to the respondents particularly the respondent no. 7 to complete all the processes for settling the retiral dues of the petitioner within a period of eight weeks from the date of receipt /

production of a copy of this order. The respondent no. 8 immediately after receipt of the sanction order from the state authority may issue authorization within a period of one month from the date of receipt of sanction. Thereafter, the respondents are directed to take steps to credit all the retiral dues to the account of the petitioner without unnecessary delay.

The writ petition stands disposed of.

(Rakesh Kumar, J)

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