

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6455 of 2015

Shivanandan Prasad Yadav, Son of Late Shahdeo Prasad Yadav ,Resident of
Village - Bahorba, P.S. - Salkhua, District - Saharsa.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Deputy Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Chief Engineer, Water Resources Department, Bhagalpur.
5. Superintending Engineer, Irrigation Circle, Water Resources Department, Jamui.
6. The Executive Engineer, Irrigation Division - 2, Water Resources Department, Jhajha, District - Jamui.
7. The Accountant General, Bihar, Patna

.... Respondents

Appearance :

For the Petitioner/s : Mr. Satish Chandra Jha-3, Advocate
For the State : None.
For the A.G. : Mr. Kameshwar Prasad Gupta, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 20-08-2016

Learned counsel for the petitioner and the Accountant General are present, however, none appears on behalf of the State.

It is contended on behalf of the petitioner that though counter affidavit has been filed but it does not speak that full pension, gratuity and leave encashment have been paid to him though the petitioner has retired as Junior Engineer on 31.01.2013 itself.

Learned counsel for the petitioner submits on instruction that sanction orders have been passed but final payment has not been made as yet.

Since none is present on behalf of the State. Learned counsel for the Accountant General submits that if sanction letter is received then necessary authorization would be issued immediately.

Accordingly, this writ application is being disposed of with a direction to the State to transmit the sanction letters immediately to the office of the Accountant General so that necessary authority slip could be issued. In case the same is already there then the State authorities and the concerned treasury would take steps for payment of the authorized amount and pension so fixed within a period of one month from the date of receipt/production of a copy of this order.

So far as leave encashment is concerned, let the competent authority calculate the same and make payment to the petitioner in the light of Annexure-A to the counter affidavit filed on behalf of the State within a period of three months from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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Transmission Date	N.A.