

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14732 of 2012

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1. Raj Nandan Sharma Son Of Late Balbhadra Sharma Resident Of Village-
Sarouti, P.O. & P.S.- Rampurchouram, District- Arwal Pin Code 804402

.... Petitioner/s

Versus

1. The State Of Bihar Through The Collector, Arwal District- Arwal, Pin
Code 804401
2. The Accountant General (Audit), Birchand Patel Path, Patna
3. The District Treasury Officer, Arwal, Null District Arwal
4. The District Agriculture Officer, Arwal, District- Arwal
5. The Block Development Officer, Kaler, District- Arwal

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Anuj Kumar, AC to GP-24
Mr. L.P. K. Rajgrihi, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 11-08-2016 No one appears on behalf of the petitioner.

This application has been filed seeking direction for payment of post retiral dues to the petitioner, who retired as V.L.W. from the Block Development Office, Kaler (Arwal), Bihar, with effect from 31.07.2009. The petitioner has sought for quashing of letter vide Memo No. 1436, dated 06.09.2011, whereby recovery to the tune of Rs. 74,400/- and other sum of Rs. 2,32,470/- has been decided to be made from his post retiral and other dues.

It appears that so far as recovery of sum of Rs. 2,32,470/- on account of non-submission of Measurement Book is concerned, during the pendency of this application,

the same has been adjusted and it is no more required to be recovered or adjusted from the petitioner or against petitioner's entitlement of post retiral dues.

So far as amount of Rs.74, 400/- is concerned, it is asserted in the counter affidavit that the petitioner had received the said amount for payment to students against scholarship which he did not distribute.

It appears from the writ application that the Accountant General Office has already issued Pension Payment Order for payment of pension.

In view of the above, it is directed that the respondents shall ensure payment of entire post retiral dues of the petitioner after adjusting the said amount of Rs.74, 400/- within a period of two months from the date of receipt/production of a copy of this order.

As regards adjustment of recovery of sum of Rs. 74,400/-, it is directed that respondents shall give the petitioner an opportunity of hearing by issuing a show cause notice as to why the said amount should not be recovered or adjusted. If the authorities are satisfied, after considering response to the petitioner's show cause notice, about his claim with respect to payment of said sum of Rs. 74,400/-, the District Magistrate, Arwal, shall pass necessary order for payment of the same in favour of the petitioner. This exercise

must be completed within a period of three months from the date of receipt/production of a copy of this order.

If no show cause notice is issued to the petitioner within a period of three months from today, the respondents shall be obliged to release the said amount in favour of the petitioner within one month thereafter.

This disposes of the application.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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