

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12841 of 2008

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Lalan Pd.Singh, son of Shri Sitaram Singh, resident of village
Purushottampur, P.S.- Maniari, in the district of Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Home Department,
Government of Bihar, Patna.
2. The Inspector General of Prisons, Bihar, Patna.
3. The Superintendent, Special Jail Central Jail, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Tiwary, Advocate

For the Respondent/s : Mr. (Gp9)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

Date: 02-02-2017

Heard learned counsel for the petitioner and the
respondents-State.

The present writ application has been preferred for a
direction to the respondent authorities to pay arrears of revised pay-
scale w.e.f. 01.04.1997, the payment of salary for suspension period
from 27.09.1999 till his reinstatement while he was posted as Jail
Warder at Sub-jail, Rosera in the district of Darbhanga. The further
prayer is to pay the T.A. for transfer from the district Jail, Jamui to
Special Central Jail on 26.08.2005 and for transfer from Sub-jail
Lakhisarai to Special Central Jail, Bhagalpur on 31.03.2006 and for
payment of the Dearness Allowance and arrear arising out of grant
of ACP w.e.f. 09.08.1999 and payment of deputation for staying at
Patna for training w.e.f. 18.12.2007 to 03.01.2008.



Learned counsel for the respondent no.3 is permitted to make necessary correction in paragraph no.7 of the counter affidavit.

A counter affidavit has been filed on behalf of respondent no.3 wherein it has been stipulated that the revised pay-scale w.e.f. 01.04.1997 and the entitled allowance for the suspension period from 12.10.1999 to 15.06.2000 has been paid to the petitioner amounting to sum of Rs.82,552/- vide pay Bill no.110/15-16 dated 22.09.2015, as contained in annexure-E to the counter affidavit. So far as the payment of T.A. is concerned since the relevant document has not been submitted by the petitioner till date in spite of communication made to him vide letter no.3148 dated 18.09.2015, it has not been paid. The counter affidavit further stipulates that the enhanced dearness allowance has already been paid and the petitioner is getting the benefit of ACP.

Learned counsel for the petitioner submits that except the T.A. all the bills have been approved, but as per latest instructions the payments have not been made.

Learned counsel for the respondent no.3 submits that most of the payments have been made to the petitioner and rest payment will be made within a period of four weeks. So far as T.A. is concerned, payment of the same will be considered, if the petitioner submits the relevant documents as demanded from him



vide letter no.3148 dated 18.09.2015.

It is expected from the respondent no.3 to ensure payment to the petitioner, if it has already not been made and so far as payment of TA is concerned, if the petitioner submits relevant documents within a period of four weeks then the respondent-authorities will decide the claim of the petitioner within four weeks thereafter.

In view of the above stand of the learned counsel for respondent- State and the fact that major claim of the petitioner has been redressed the writ application is disposed of with the direction made above.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2017
Transmission Date	NA

