

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2860 of 2017

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Kaushal Kishore Mishra

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra

For the Respondent/s : Prerna Anand, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 20-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner has filed this writ petition for payment of post retiral dues. The petitioner retired way back on 31.7.2010, seven years has passed by now but the pension and other post retiral dues have not been settled as yet. The State Government time and again issued guidelines for settlement of the post retiral dues expeditiously, simultaneously with retirement but the guideline and circular issued for expeditious payment of post retiral dues are only glorifying the books containing circular. In reality, neither the authorities are monitoring compliance of those orders and circulars issued from time to time for expeditious disposal of post retiral dues nor the concerned employees are adhering to the guideline issued by the State Government in this regard. It is high time that the authorities holding kee post should be reminded that pension is not a bounty, it is a right of the employee on superannuation. They are entitled to payment of



pension at the earliest. Our State is social welfare State and profess social security measure as top priority but in the instant case, the petitioner superannuated on 31.7.2010 yet till date his post retiral dues has not been settled. In stead of keeping the matter pending, the petitioner is directed to file a detail representation to the District Magistrate-cum-Collector, Muzaffarpur who is obliged to ensure payment of all admitted post retiral dues within a period of two month from the date of filing of such representation along with copy of this order.

The District Magistrate is also required to fix accountability on all erring officers and the employees who are instrumental in delaying the finalization of the post retiral dues for seven long years, if post retiral dues are not settled within a period of two months from the date of production of a copy of this order then all post retiral dues will carry interest @ 12 % from the date of superannuation of the petitioner and the officers and the employees involving in the process have to pay interest from their own pockets.

With the aforesaid, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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