

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 14086 of 2016

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Ramchandra Mandal, Son of Late Palat Mandal, Resident of Village-
Chandradih, P.S. Khajauli, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar, Principal Secretary, Panchayati Rajya Department,
Bihar, Patna.
2. The Deputy Development Commissioner, Madhubani.
3. The Prakhand Vikas Padadhikari, Rahika, Madhubani.
4. The Prakhand Vikas Padadhikari, Khutauna, Rahika, Madhubani.
5. The Prakhand Vikas Padadhikari, Babubarhi, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Murari Narain Chaudhary and Mr. Vijay Kumar, Advocates
For the State	:	Mr. P. N. Shahi, A.A.G. 6 Mr. Mritunjay Kumar, A.C. to A.A.G. 6

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

5 01-12-2017 Heard learned counsel for the petitioner and Mr. P.N.
Shahi, learned Additional Advocate General No. 6 for the State.

2. The petitioner has moved the Court for payment
of retiral dues after having superannuated on 29.02.2016.

3. In terms of the earlier order of a co-ordinate
Bench of this Court dated 17.11.2017, the respondents no. 4, 5
and 6 are present and have also filed their counter affidavit. A
counter affidavit has also been filed on behalf of respondents no.
3 to 6. The stand is that in absence of service book of the
petitioner, the settlement of his retiral dues were held up but now
the same has been reconstructed and payment of arrears of salary,



increment amount and earned leave have been paid to him. With regard to fixation of pension, it has been stated that upon submission of the filled up forms by the petitioner, the same would be promptly processed and sent to the Accountant General for issuing authority slip. As far as payment of G.P.F. is concerned, it has been stated that details have been sought from the places where the petitioner had moved and upon receipt of the same, it would be paid to the petitioner. Thus, the stand is that Pension, Group Insurance, Gratuity and G.P.F. would also be finally paid to the petitioner within two to three weeks.

4. As far as show cause of the officers are concerned, learned counsel for the State and the officers themselves, without offering any justification, tendered unconditional and unqualified apology and also assured the Court that such conduct shall not be repeated.

5. Considering the aforesaid, the Court is inclined to grant indulgence. Accordingly, accepting the apology, the issue stands consigned.

6. Coming to the merits of the matter, in view of the categorical stand taken in the counter affidavit relating to payment of remaining dues, as indicated above, within two to three weeks, the Court does not feel the necessity of keeping the



writ petition pending.

7. Accordingly, the writ petition stands disposed off with a direction to the respondent no. 6 to ensure that all remaining admitted dues of the petitioner are actually paid to him expeditiously and in any case latest within six weeks from today.

8. In view of the fact that the Court had given twice the time asked for, if it is found that such commitment before the Court has not been complied with and the matter is brought to the notice of the Court, the concerned persons may not be entitled to any further indulgence.

9. In view of the statement of learned counsel for the petitioner that filled up pension papers have been submitted by him today, the authorities shall proceed without further delay. However, if the same has not been done, the Court would require him to do the same latest by 5th December, 2017.

10. The personal appearance of the officers stand dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

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