

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1311 of 2016

=====

Shashi Prasad Singh, son of Late Yamuna Prasad Singh, resident of village -
Bahadurpur, Police Station - Zeromile, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. The Commissioner-cum-Secretary, Rural Works Department, Bihar, Patna.
 3. The Engineer-in-Chief Additional Commissioner cum Special Secretary, Rural Works Department, Government of Bihar, Patna.
 4. Chief Engineer (2), Rural Works Department, Harding Road No. 2, Bihar, Patna.
 5. The Superintending Engineer, Rural Works Department, Work Circle, Bhagalpur.
 6. The Executive Engineer, Rural Works Department, Work Division, Banka- 1.
 7. The Assistant Engineer, Rural Works Department, Work Division, Banka.
 8. The Principal Secretary, Road Construction Department, Government of Bihar, Patna
- Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate
For the Respondent/s : Mr. M.K. Ambastha- Gp14

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 04-10-2017 Counsel for the petitioner is permitted to add Road Construction Department, Government of Bihar, as party respondent no.8, during course of the day.

2. Heard learned counsel for the petitioner and State.

3. The grievance of the petitioner in the writ application is that the petitioner has superannuated on 31.08.2013, but his post retrieval dues have not been paid.

4. On behalf of respondent nos.2 to 7 a counter affidavit was filed, in which stand has been taken that the petitioner has not impleaded Road Construction Department, Government of Bihar as party respondent and he has not submitted



the pension paper in proper format.

5. Counsel for the petitioner submits that the petitioner has already submitted duly filled up pension paper. He further submits that there is dispute with regard to certain amount advanced to the petitioner and its utilization.

6. In view of the fact that the petitioner superannuated on 31.08.2013 and even after four years, the pensionary claim has not been settled by the respondents, the writ application is disposed of with liberty to the petitioner to file a representation before respondent no.3, who shall look into the grievance of the petitioner and take final decision in the matter and ensure payment of the admitted dues within a period of three months from the date of filing of the representation along with a copy of this order.

7. It goes without saying that all the admissible dues of the petitioner has to be paid to him within a further period of three months, failing which the dues will carry interest at the rate of 9% per annum from the date of superannuation of the petitioner till the date of payment of the dues.

8. With the aforesaid observations and directions, this application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

U			
---	--	--	--

