IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4232 of 2016

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Ram Pravesh Singh Son of late Nunulal Singh Resident of Village-Awgil , PS and District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar , through the Secretary Human Resources Development Department ,Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department ,Govt. of Bihar, Patna.
3. The Director , Primary Education, Govt. of Bihar, Patna.
4. The District Magistrate sheikhpura.
5. The District Education Officer, Sheikhpura.
6. The District Programme Officer(Establishment) Sheikhpura.
7. The District Treasury Officer, Sheikhpura.
8. The Block Education Officer-cum-Drawing Dispersing Officer, Sheikhpura.
9. The Accountant General Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Prasad Singh, Advocate
For the State	:	Mr. Sanjay Kumar, AC to GP 23
For the A.G.	:	Mr. Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 25-05-2017

Heard learned counsel for the petitioner, State and the Accountant General.

2. The petitioner has moved the Court for a direction to revise his retiral dues as per his entitlement.

3. In the counter affidavit, the stand of the State is that though initially 33 years of service was required to be completed for entitlement to full pension but the period was reduced to 20 years and

in terms of the Government decision contained in Memo No. 50 dated 15.01.2016, such benefit shall also accrue to the petitioner for which they have already sent sanction order to the Accountant General under Memo No. 264 dated 24.02.2016, copy of which has been brought on record in the counter affidavit filed on behalf of respondent no. 6.

4. The Accountant General has filed counter affidavit affirmed on 09.05.2016 but there is no mentioning of the sanction sent by the State in its letter dated 24.02.2016.

5. Learned counsel for the Accountant General submitted that he does not have instructions as to whether the letter has actually been received in his office as copy of the counter affidavit of the State has not been served on him.

6. Be that as it may, in view of the State's counter affidavit bringing on record the document to show that sanction of full pension and gratuity has been made and the State being the employer, the Accountant General has to only issue the consequential authority slip, the writ petition stands disposed off with a direction to the respondent no. 9 to ensure that in terms of the letter of the respondent no. 6 dated 24.02.2016, the required authority is issued in favour of the petitioner within three weeks from the date of production of a copy of this order before him.

7. Learned counsel for the State shall serve copy of the

counter affidavit on learned counsel for the Accountant General today itself. In the event the original of the aforesaid letter is not available in the office of the Accountant General, he shall intimate the same to the respondent no. 6 within two working days of copy of the order being served on him and thereafter the respondent no. 6 shall ensure that within the next two working days a fresh copy of the sanction order i.e., Letter No. 264 dated 24.02.2016, is sent to the respondent no. 9. Upon the authority being issued by the respondent no. 9, the petitioner shall produce the authority as well as copy of this order before the respondent no. 7. The respondent no. 7, in turn, shall ensure that all required payments in terms of the authority are credited into the account of the petitioner within two weeks thereafter.

(Ahsanuddin Amanullah, J)

Anjani/-

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