

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16918 of 2016

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Ram Janam Patel, Son of Late Triveni Patel, Resident of Village - Sirsabiran, P.S.
Lalganj, District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar through Secretary
2. The Principal Secretary, Agriculture Department, Government of Bihar
3. The Accountant General, Government of Bihar, Patna
4. The District Magistrate, Muzaffarpur
5. The District Agriculture Officer, Muzaffarpur
6. The Joint Director, Agriculture, Tirhut Pramandal, Muzaffarpur
7. The District Treasury Officer, Muzaffarpur
8. The District Provident Fund Officer, Muzaffarpur
9. The Senior Superintendent of Post Police, Muzaffarpur Division Muzaffarpur
10. The Block Development Officer, Paru, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kaushal Kishor, Adv.
For the State	:	Mr. Awanish Nandan Sinha-GP21
For Res. No.7	:	Mr. Kumar Priya Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT
Date: 20-07-2017

Heard Mr. Kaushal Kishore, learned Counsel appearing
on behalf of the petitioner, learned AC to GP-21 for the respondent
State and Mr. Kumar Priya Ranjan, learned Counsel appearing on
behalf of Accountant General.

The present writ application has been filed for a direction



to respondent authorities to make payment of pension and consequential benefit. The petitioner was appointed as Stenographer on 16.07.1973, in the Agriculture Department, and posted at Hajipur, in Patepur Block, District Vaishali and retired on 30.04.2012, but the petitioner's retiral benefits have not been paid.

A counter affidavit on behalf of Respondent No.7, the Treasury Officer, Muzaffarpur, has been filed, wherein, it has been stated that Compulsory Group Insurance to the tune of Rs.1,49,919/-, Provisional Gratuity amounting to Rs.5,96,317/- and Earned Leave amounting to Rs.3,62,010/-, have been paid to the petitioner on 10.06.2014, 10.07.2014 and 10.06.2014, respectively. The respondent no. 7 has asked the District Agriculture Officer, Vaishali for making available the remaining retiral dues of the petitioner. The paragraph no. 5(ii) of the counter affidavit reads as follows:-

"That so far the payment made to the petitioner is concerned, in this context, this respondents begs to submit that the petitioner has already been paid the following amount towards his retirement dues and other benefits as detailed below:-

(i)Compulsory Group Insurance vide Bill P.No. 30/07-06-2014 date of payment 10.06.2014	Rs. 1,49,919.00
(ii) Provisional Gratuity Bill No. 29/07-06-2014 date of payment 10.07.2014	5,96,317.00
(iii) Earn Leave Bill No. 31/07-06-2014 date of payment 10.06.2014	3,62,010.00



It is submitted by learned Counsel appearing on behalf of the respondent-State that sanction order has been transmitted to the office of the Accountant General, through Memo No.750, dated 08.04.2015.

However, learned Counsel appearing on behalf of petitioner submits that he admits the payment, as has been stated in paragraph no. 5(ii) of the counter affidavit, filed on behalf of respondent no. 7, but he has not been paid the GPF and monthly pension till date.

Learned Counsel appearing on behalf of the respondent-State further submits that the Department will transmit the sanction order with regard to G.P.F. and monthly pension as well as the service book of the petitioner to the office of the Accountant General within a period of three weeks.

Mr. Kumar Priya Ranjan, learned Counsel appearing on behalf of Accountant General, submits that authority letter will be issued in favour of the petitioner, within a period of four weeks of receipt of sanction order as well as service book of the petitioner from the department concerned.

In the circumstances, it is expected from the respondent authorities to comply the undertaking given before this Court and



ensure payment to the petitioner within a period of two months.

Accordingly, the writ application is disposed of.

(Dinesh Kumar Singh, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

