

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6897 of 2014

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Ramashankar Singh son of Late Harsit Singh, resident of village- Naaya Tola
(Salempur), Post Office, Police Station and Block- Surajgarha, District- Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Lakhisarai
3. The Deputy Development Commissioner, Lakhisarai
4. The District Panchayat Officer, Lakhisarai
5. The Director, Panchayat Provident Fund, Pant Bhawan, Patna
6. The District Provident Fund Officer, Munger
7. The District Accounts Officer, Lakhisarai
8. The Block Development Officer, Surajgarha, District- Lakhisarai
9. The Accountant General (A&E), Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, G.P.-14

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 18-03-2017

The present application has been filed by the petitioner for issuance of a direction to the respondents for making payment of retiral dues such as pension, gratuity, general provident fund, leave encashment, group insurance etc.

2. The petitioner retired on 31.05.2013 from the post of Panchayat Secretary. At the time of retirement, he was posted at



Surajgarha Block in the District of Lakhisarai.

3. A counter affidavit has been filed on behalf of the respondents no.2, 3 and 8 wherein it is stated that during the pendency of the writ application all retirement benefits of the petitioner have been paid and now no dues is pending with the respondents. The details of payment have been narrated in paragraph 5 of the counter affidavit.

4. In reply, learned counsel for the petitioner submitted that it is true that the petitioner has been paid amount of gratuity, leave salary, group insurance and general provident fund, but the entire calculation has been made without taking into consideration the subsequent grant of benefits in assured career progression scheme vide notification dated 28.11.2015 to the petitioner.

5. I have heard learned counsel for the parties and perused the record.

6. In view of the assertions made above and the stand of respondent nos. 2, 3 and 8 as narrated in the counter affidavit, the writ application is disposed of with liberty to the petitioner to file a detailed representation before the District Magistrate, Lakhisarai in respect of his claim of faulty calculation of retiral benefits. In case such a representation is filed by the petitioner within a period of four weeks, the respondent District Magistrate, Lakhisarai shall examine the same and pass a reasoned order within a period of eight weeks



from the date of receipt of such representation and in case the claim of the petitioner is found correct, the admissible amount should be paid to him within the aforementioned period.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
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Transmission Date	

