

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9603 of 2015

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Kali Kant Jha son of Late Laxmi Kant Jha, resident of village- Mohan Badhyam,
P.O.- Kanhauli, Police Station- Sakri, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Accountant General, Bihar, Patna
3. The Registrar, Co- operative Society, Bihar, Patna.
4. The Joint Registrar, Co- operative Society, Bihar, Patna
5. District Co-operative Officer, Darbhanga.
6. The District Magistrate, Darbhanga.
7. The Block Development Officer, Biroul, District- Darbhanga.
8. The Sub -Divisional Officer, Biroul , District- Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the State : Mr. Arbind Kumar, A.C. to G.A.-9

For the Accountant General : Mr. L.P.K. Rajgrihar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 09-03-2017

The grievance of the petitioner relates to his payment of salary and retiral benefits.

2. It is stated by the learned counsel for the petitioner that even though the petitioner retired as Block Co-operative Extension Officer from Biroul Block falling within Darbhanga District on 30th June, 2002, some of the retiral dues of the revised scale have not been paid till date.

3. On the other hand, learned counsel for the State submitted that the petitioner has slept over his right for nearly thirteen years. He submitted that though the petitioner retired in the year 2002, he has filed the instant writ application on 6th July, 2015. He,



however, submitted that if an appropriate representation is made by the learned counsel for the petitioner, the authority would certainly examine the claim of the petitioner and his admissible dues, if any, would be paid to him without any delay.

4. In reply, learned counsel for the petitioner submitted that in the matter of retiral benefits, a writ petition would be maintainable even if some delay has been caused in raising the grievance.

4. Considering the submissions made above, the petitioner is directed to file a representation before the District Magistrate, Darbhanga within a period of four weeks. In case such a representation is filed, the District Magistrate would be required to examine the claim of the petitioner and pass a reasoned order within a period of three months. If the claim of the petitioner is found admissible, the amount which the petitioner is found entitled to receive should be released in his favour within the aforementioned period. In case any adverse order is passed against the petitioner, the same should be communicated to him.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
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