

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17994 of 2015

=====

Dr. Chandradeo Singh, S/o Late Madhav Singh, Resident of Village-
Ramchandrapur, P.S.- Maheshkhunt, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary cum Commissioner, Department of Health, Government of Bihar, Patna.
2. The Secretary cum Commissioner, Department of Health, Government of Bihar, Patna.
3. The Deputy Secretary, Health and Family welfare Department, Government of Bihar, Patna.
4. The Treasury Officer, Khagaria.
5. The Accountant General Bihar, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 19-09-2017

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

2. The petitioner has moved the Court for the following
reliefs:

“i) For issuance of direction upon the respondent authorities to re-fix pension of the petitioner after granting him admissible pay scale for which he was entitled at the time of superannuation form service and sanction final pension of the petitioner.

ii) For further direction upon the respondent authorities to calculate his pension computing his services from 2.3.1975 the date on which petitioner was appointed in services of District Board and subsequently absorbed in regular cadre of Bihar Health Service.

iii) For further to pay interest over the dues amount at the market rate from the date when it



became due/payable to the petitioner.

iv) For further direction on the respondent authorities to pay the salary for the period 4.6.1995 to 26.4.97, which remained due with the respondent authorities.

v) For any other relief or reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

3. In effect, the petitioner, who superannuated in the year 2003, wants re-fixation of his pay scale, which according to him was not correctly done.

4. In view of the fact that the cause of action having arisen in the year 2003, and even earlier, and the writ application having been filed in the year 2015, and that too, for a grievance which the petitioner was required to get redressed by moving the appropriate forum while being in service, in the considered opinion of the Court, is not required to be gone into and interfered with at present.

5. Accordingly, the writ petition stands dismissed on the ground of gross delay and laches.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	

