

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1668 of 2016

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Jai Narayan Mahto, Son of Late Jitan Mahto, Resident of Village- Bhowara,
West of Katwali Chauk, Ward no.- 29, Police Station- Madhubani, District-
Madhubani Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Department of Health,
Govt. of Bihar, Patna.
 2. The Additional Secretary, Department of Health, Government of Bihar,
Patna.
 3. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
 4. The Civil Surgeon cum Chief Medical Officer, Madhubani.
 5. The Treasury Officer, District of Madhubani.
 6. The Chief General Manager, Zonal Head Office, S.B.I. Judges Court
Road, Patna (C.P.P.C. Unit) Anta Ghat, Near Gandhi Maidan.
 7. The Branch Manager, S.B.I. Main Branch, Red Cross Building,
Madhubani.
 8. The Accountant General, Bihar, Patna. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Singh, Advocate
For the Respondent/s : Mr. Jitendra Kumar, AC to AAG-14
For Accountant General : Mr. Raghwanand, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

4 04-10-2017 Heard learned counsel for the petitioner, State and

Accountant General.

2. The grievance of the petitioner is non-revision of
the pension. The petitioner superannuated on 31.03.1997.

3. Counsel for the petitioner submits that pension of
the petitioner was revised in 2000, but no follow up revision was
carried out and, as such, the petitioner is adversely affected by
non-revision of his pension. He has filed supplementary affidavit
to demonstrate that he is entitled to arrears of revised pension in
view of the 6th Pay Revision Commission recommendation, as set
out in para 3 and 4 of the supplementary affidavit.



4. This writ application was filed on 22.01.2016 after service of two copies of the writ application to the office of the Advocate General, but unfortunately no counter affidavit has been filed as yet.

5. Under the aforesaid circumstances, this writ application is disposed of with a direction to respondent no.3 (Director-in-Chief, Health Services, Government of Bihar, Patna) to look into the grievance of the petitioner and to ensure payment of revised pension and arrears within a period of two months from the date of filing of the representation along with a copy of this order.

6. It is made clear that if the admitted dues are not paid within a period of three months, the arrears payable to the petitioner will carry interest at the rate of 9% per annum with effect from the date the 6th Pay Revision Commission recommendation was adopted by the State Government. The interest will be paid by the officer concerned, who is found responsible for delay in disposal of post retrial claim of the petitioner.

7. With the aforesaid observations and directions, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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