

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18642 of 2016

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Ram Awatar Ram son of Late Phaguni Ram, resident of village- Ambedkar Nagar,
Ward No.-26, Bhawara, P.O.- Bhawara, P.S.- Madhubani, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Urban Development Housing
Department, Government of Bihar, New Secretariat, Patna.
2. The Nagar Parishad, Madhubani through its Executive Officer.
3. The Executive Officer, Nagar Parishad, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s	: Mr. Amar Prakash, Advocate
	: Mr. Ashutosh Kumar Jha, Advocate
For the State	: Mr. Kinkar Kumar, SC-9
	: Mr. Yogesh Kumar, AC to SC-9
For the Respondents	: Mr. Purushottam Jha, Advocate
	: Mr. Vikash Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 17-01-2017

In the present application the petitioner has prayed for direction to the respondents to pay the post retiral dues to the petitioner, who retired on 31st January, 2015 as Ward Superintendent from Nagar Parishad, Madhubani.

2. It is contended by the learned counsel for the petitioner that despite repeated representations in this regard, the authorities have not paid the retiral dues to the petitioner.

3. Mr. Jha, learned counsel appearing on behalf of the Nagar Parishad submits that due to paucity of fund the payment of admitted post retiral dues of the petitioner could not be paid in time, but efforts



are being made to settle the claim at the earliest.

4. In the considered opinion of this court, paucity of fund cannot be made a ground to deny the pensionary benefits of an employee.

5. Accordingly, I direct the respondent no.3 to examine the case of the petitioner without any delay and pay him all the admitted post retiral dues within three months from the date of receipt of a copy of this order.

6. With the aforesaid observation and direction, the application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	18.1.2017
Transmission Date	

