

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4953 of 2016

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1. Bimla Devi wife of late Brij Bihari Singh, resident of Belej Kunj Apartment, Mazar Gali, Sheikhpura, P.S.- Sheikhpura, District- Patna.
 2. Parambodh Kumar, Son of Late Brij Bihari Singh, resident of Belej Kunj Apartment, Mazar Gali, Sheikhpura, P.S.- Sheikhpura, District- Patna.
 3. Sarbhad Kumar, Son of Late Brij Bihari Singh, resident of Belej Kunj Apartment, Mazar Gali, Sheikhpura, P.S.- Sheikhpura, District- Patna.

.... Petitioners

Versus

1. The State of Bihar through the Secretary, Department of Education, Government of Bihar, Patna.
2. The Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The District Education Officer, Rohtas.
5. The Headmaster, Uchcha Vidyalaya, Dehri-on-Sone, District- Rohtas.
6. The Accountant General, Bihar, Patna.
7. The Treasury Officer, Rohtas (Sasaram).
8. The Treasury Officer, Kaimur(Rohtas).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the State : Mr. Lalan Kumar, AC to GP-9
For the Accountant General : Mr. Rabindra Kumar Priyadarshi, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 02-11-2017

The original writ petitioner Brij Bihari Singh died during the pendency of the writ petition. Vide order dated 19.08.2017, the petitioners, who are widow and two sons of the original writ petitioner, were allowed to be substituted as petitioners



in the present case.

2. The claim of the deceased employee was that though he superannuated as Headmaster from a Government School, Rohtas on 31.08.2010, payment of gratuity has not been made to him.

3. The Treasury Officer, Rohtas (Sasaram) and the Treasury Officer, Kaimur (Bhabhua) were directed to be present before the Court to explain as to why the payment of gratuity has not been made. They have appeared in person and filed their respective counter-affidavits.

4. In the counter-affidavit filed on behalf of respondent no. 8, Senior Treasury Officer, Kaimur (Bhabhua), it has been stated that payment of gratuity of Rs.6,40,808/- has already been credited in the account of the petitioner.

5. Learned counsel for the respondent nos. 7 and 8 submitted that there was no fault on the part of the treasury officers. The delay, if any, was due to the fault on the part of the Centralized Pension Proceeding Centre (CPPC), State Bank of India, Patna.

6. Learned counsel for the petitioners does not dispute the assertion made in the counter-affidavit filed on behalf of respondent no. 8. He admits that recently payment of gratuity has been made.

7. In that view of the matter, since the grievance of the petitioners has already been redressed, no further order need be



passed

8. The writ petition stands disposed of.
9. Personal appearance of the treasury officers present
before the Court is dispensed with.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.11.2017
Transmission Date	NA

