

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15418 of 2007

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1. Manzari Fatima , wife of Late Md. Anisur Rashid
2. Tarique Anis
3. Sabad Anis, both sons of Late Md. Anisur Rashid
4. Atiya Anis, daughter of late Md. Anisur Rashid,
Resident of White House Compound, Road No. 6, Police Station Civil Line,
District Gaya superannuated as an Assistant Engineer, Road Construction
Department, Building Division, Gaya

.... Petitioners

Versus

1. The State of Bihar through the Secretary, Road Construction Department,
having his office in Vishweshsaraia Bhawan, Police Station Shastrinagar,
District Patna.
2. The Finance Commissioner, Government of Bihar, having his office in Old
Secretariat, Police Station Sachivalaya, District Patna.
3. The Engineer-in-Chief, Road Construction Department, having his office in
Vishweshsaraia Bhawan, Police Station Shastrinagar, District Patna.
4. The Under Secretary, Personnel Claim Cell, Finance Department,
Government of Bihar, having his office in Pant Bhawan, District Patna.
5. The Deputy Secretary, Road Construction Department, having his office in
Vishweshsaraia Bhawan, Police Station Shastrinagar, District Patna.
6. The Treasury Officer, Gaya having his office in Collectorate Compound,
Police Station Gaya, District Gaya.
7. The Accountant General (Accounts and Entitlement) Bihar, Patna having
his office in Birchand Patel Path, Police Station Kotwali, District Patna

.... Respondents

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Appearance :

For the Petitioner : Mr. Vikas Mohan, Advocate

For the Respondents : Ms. Divya Verma, AC to AAG 3

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 22-08-2017

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for a direction
to the respondents "to issue pay slip to the petitioner fixing his pay as
Assistant Engineer on 1.4.1981 onwards and revise the same till his
superannuation on 31.1.1996 consequent upon issuance of notification



shifting back his date of promotion as Assistant Engineer from 20.3.1986 to 1.4.1981 on the basis of order passed in C.W.J.C. No. 3113 of 1997 on 10.4.1997 and to pay the difference of arrears of salary alongwith 12% interest till 1988 thereafter 8% interest to the post of Assistant Engineer in accordance with the aforesaid order of this Hon'ble high Court and also revise pay scale of the petitioner from 01.01.1996 as well as revise the pension, gratuity and leave encashment to the petitioner consequent upon such fixation of his pay from 01.04.1981 and revision of pay scale from 01.01.1996 to the post of Assistant Engineer and further directed the Respondents to pay difference of replacement scale i.e. Rs. 4554.20 for which the bill has already been prepared but the same has not been paid till date. The amount is pending at Advance Planning Division, P.W.D., Gaya".

3. Without going into the details of merit of the matter, this Court takes note of the statements made in the counter affidavit filed on behalf of the respondent nos. 2 and 4 in Court today, paragraph 10 of which reveals that the pay slip no. 26071721028536 dated 26.07.2017 has now been issued with regard to the salary of the original petitioner for the period from 01.04.1981 till 01.02.1996 i.e. upto the date of his superannuation.

4. In the above view of the matter, learned counsel for the petitioners submits that for the remaining claims i.e. for the arrears of salary, revision of pension and arrears of pension, the petitioners



would approach the concerned authority by way of fresh representation in view of the pay-slip now issued.

5. Having regard to the stand of the petitioners, the writ petition stands disposed of with liberty to the petitioners to approach the concerned authority with appropriate representation for redressal of the remaining grievances. If any such representation is filed within a period of two weeks hereof, the same shall be considered and disposed of in accordance with law expeditiously, ensuring that the payment of admissible amount is made to the petitioners without undue delay and preferably within a period of three months from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

B.T/Ibrar

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	25.08.2017
Transmission Date	N.A.

