

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8162 of 2016

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Raghunath Pd. Sinha s/o Late Ram Bhajan Sinha, R/o Kathtar, P.S. Rajpur,
Distt- Buxar. Superannuated from his Service as Head Clerk (absorbed)
From the Office Project Executive, Officer, Dumrao, Buxar.

.... Petitioner

Versus

1. The State of Bihar through the Agriculture Production Commissioner,
Department of Agriculture, New Secretariat, Bihar, Patna.
2. The Agriculture Production Commissioner, Department of Agriculture,
New Secretariat, Bihar, Patna.
3. The Director, Agriculture, New Secretariat, Bihar, Patna.
4. The Joint Director Agriculture, Patna Division, Mithapur, Patna.
5. The Project Executive Officer, Dumrao, Buxar.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.

For the Respondent/s : Mr. Asif Kalim, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 31-07-2017 Heard learned counsel for the parties.

The grievance of the petitioner is that although differential arrears of salary for the period 2.9.2008 to 31.7.2012 when the petitioner superannuated in compliance of the order passed by this Court in C.W.J.C.No. 21785/2011 has been paid to the petitioner but he has not been paid annual increment at the rate of 3% on the basic pay for the said period on the revised salary after grant of ACP benefit.

Mr. J.P.Verma, learned counsel for the petitioner, refers to Annexure 6 to submit that although the revised last pay certificate is issued but it does not take notice of the 3% increment on the revised basic pay. He submits that a representation in this



regard has been filed before the Project Executive Officer, Dumrao, Buxar (respondent no.5) on 16.2.2016 but the same remains pending.

Having heard learned counsel for the parties and in the nature of the grievance so raised, I deem it proper to dispose of the writ petition with the liberty to the petitioner to raise his grievance before respondent no.2 alongwith supportive details and any such representation filed by the petitioner should be considered and disposed of by the Agriculture Production Commissioner (respondent no.2) in accordance with law expeditiously and preferably within three months of filing of such representation by a speaking order.

It goes without saying that if the petitioner has made out a case for payment of increment, the same should be paid within two weeks of disposal of such representation.

With the aforementioned observation and direction, the writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

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