

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.1211 of 2015**

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Kamlesh Kumar Singh, Son of Late Ram Singhasan Singh resident of Shahwan  
Tola, Aakashwani Road, P.S. Khzanchi Hat, District - Purnea

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna
3. The Civil Surgeon, Kishanganj
4. The Additional Chief Medical Officer, Kishanganj
5. The Accountant General, Bihar, Patna

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar Sharma, Advocate

For the Respondent/s : Mr. Vasant Vikas, AC to GP-12

For the Respondent-AG : Mr. Kumar Priya Ranjan, Advocate

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**ORAL JUDGMENT**

**Date: 09-01-2017**

The father of the petitioner was a Clerk in the office  
of Additional Chief Medical Officer, Kishanganj. He died in  
harness on 28<sup>th</sup> August, 2009 while he was in service.

2. The writ application has been filed by the  
petitioner for directing the respondents to pay the amount of  
gratuity, leave encashment and other death-cum-retirement benefits  
along with interest of the petitioner's father.



3. It is submitted by the learned counsel for the State that the petitioner has never put forth his claim before the authorities before filing of the writ petition.

4. In view of the submission made above, the petitioner is directed to raise his claim by filing representation before the Civil Surgeon, Kishanganj within four weeks from today. In case of filing of such representation, the Civil Surgeon, Kishanganj shall be obliged to examine the same and dispose it of by a reasoned and speaking order within six weeks from the date of filing of the representation. If any amount is found payable to the petitioner, he shall issue necessary sanction order/authority slip for payment of admitted dues within a period of two months of the receipt of the claim.

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

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

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