

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9018 of 2015

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1. Narendra Kumar Singh Son of Late Tokhaman Singh resident of Mohalla - Pakri,
in front of Urdu School, P.S. - Nawada, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Director Panchayati Raj Bihar, Patna.
4. The Deputy Development Commissioner Cum Chief Executive Officer, Bhojpur,
Ara.
5. The Chairman Zila Parishad Bhojpur at Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satya Deo Kumar, Adv. Mr. Braj Kishore Singh, Adv.
For the State	:	Mrs. Anuradha Singh, SC-21
For the Zila Parishad	:	Mr. Nikesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 21-08-2017

The petitioner retired on 31.07.2013 from the post of Accountant-cum-Head Assistant from Zila Parishad, Bhojpur, Ara. He has filed the present writ petition for issuance of a direction to the respondents to pay his entire retrial dues.

2. It has been contended by the learned counsel for the petitioner that after retirement the petitioner has not been paid his retrial dues.

3. A counter affidavit has been filed on behalf of the respondent nos. 1 and 3 wherein a categorical statement has been made in para 10 that financial assistance for payment of salary, retirement dues etc. have been made available to all the Zila



Parishads including Zila Parishad, Bhojpur, Ara.

4. Mr. Nikesh Kumar, learned counsel appearing for the respondent nos.4 and 5 has submitted that due to paucity of fund payments could not be made to the petitioner. He has submitted that the contesting respondents have calculated all the retrial dues of the petitioner and they undertake to make payment of his admissible dues within three months from today.

5. Considering the stand of the parties and undertaking given by the learned counsel for the Zila Parishad, the writ petition is disposed of with a direction to the respondent nos. 4 and 5 to pay all the admissible retrial dues to the petitioner as early as possible but not later than three months from today. In case the payment is not made within the aforestated stipulated period of three months, the petitioner will be entitled to receive a cost of Rs.1,00,000/- (Rupees one lac) from the respondent Zila Parishad. In such an eventuality, the Zila Parishad would be at liberty to recover the amount of cost from the officer(s) responsible for causing delay in payment of the retrial benefits to the petitioner.

(Ashwani Kumar Singh, J)

Pradeep/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23-08-2017
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