IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.300 of 2016

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Raj Nath Singh son of Late Mahendra Singh, resident of Village- Piyaniya, Post- Piyaniya, Police Station- Udwant Nagar, District- Bhojpur, Ara.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary Home Department, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Superintendent of Police, Siwan, District- Siwan.
5. The Treasury Officer, Ara, District- Bhojpur.
6. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Rajiva Ranjan
For the Respondent/s : Mr. R.K. Priyadarshi- Sc32
For the Accountant General Mr. Kameshwar Prasad Gupta (S.C)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 01-11-2017 Heard learned counsel for the petitioner, State and the counsel appearing on behalf of the Accountant General.

From the counter affidavit of the Accountant General, it appears that correspondence is going on in between office of Accountant General and the State and the documents required by the office of Accountant General has not been furnished by the officers of the State Government.

Petitioner superannuated on 1.6.2004. We are in 2017. It is high time that even after 13 years of superannuation, post-retiral dues have not been settled by the respondents when all tall claim are made by the officers of the State that they are concern in the matter of payment of post-retiral dues and have been issued guidelines for expeditious disposal but it appears that such guidelines are only glorifying the books containing such circulars and guidelines. Somebody has to take responsibility on behalf of the respondents for inordinate delay in final settlement of the post-retiral dues.

From the record, it appears that office of the Accountant General has issued letters requesting the concerned officials of the State to provide service book and other relevant documents but they are reluctant in responding to the office of the Accountant General.

In the aforesaid circumstances, the court is left with no option but to direct the respondent no.2, the Secretary, Home Department, Government of Bihar, Patna to see that all post-retiral dues to which the petitioner is entitled must be paid to him within a period of three months from the date of production of a copy of this order. The respondent nos. 2 will ensure that the required documents are sent to the office of the Accountant General at once so that all post-retiral claim of the petitioner is settled at the level of the office of the Accountant General. It is made clear that respondent shall ensure admissible amount to the petitioner within three months from the date of production of this order.

In the event of delay in final settlement and payment of post-retiral dues, the petitioner would be entitled to payment of interest at the rate of 9 per cent from the date of filing of the writ application i.e. 6.1.2016 to the date of actual payment and the entire interest shall be payable by the person(s) responsible for delay in final settlement of post-retiral dues of the petitioner.

The respondent no.2 shall fix accountability and realize from such erring officers the interest to be paid on account of delay in payment of post-retiral dues.

With the aforesaid observation, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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