

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11579 of 2014

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Diwakar Prasad Singh Son of Late Shiv Nandan Prasad Singh, resident of Mohalla
- Rai Jai Krishan Road, Gurhatta, P.S. Khajekalan, District Patna.

.... Petitioner

Versus

1. The State of Bihar through the Director, Agriculture, Government of Bihar, Patna.
2. The Accountant General (A & E), Patna.
3. The District Magistrate, Aurangabad.
4. The Block Development Officer, Dev Block, District - Aurangabad.
5. The Block Statistical Supervisor, Dev Block, District - Aurangabad.
6. The Treasury Officer, Patna City Treasury, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shashi Chandra Pandey, Advocate
For the State : Mr. Ravi Verma, AC to GP 4
For the Accountant General : Mr. Ranjan Kumar, SC

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 08-08-2017

This writ petition has been filed by the petitioner for
issuance of a direction to the respondents to pay his post-retiral dues.

2. The petitioner superannuated on 18.05.2012 from the
office of the respondent no. 4 as Junior Field Investigator.

3. It has been submitted by the learned counsel for the
petitioner that though the petitioner superannuated on 18.05.2012, till



date he has not been paid pension, gratuity, leave encashment, amount of group insurance and the pay scale of second assured career progression.

4. On the other hand, learned counsel for the State has submitted that the petitioner has voluntarily retired on 18.05.2012 from the office of Block Development Officer, Deo Block (Aurangabad). His pension, GPF, due salary, gratuity and pay scale of first assured career progression have already been paid. He has submitted that since no earned leave was left to the credit of the petitioner, he was not entitled to be paid the amount of earned leave. He has further submitted that since no information is available with regard to deduction amount of the petitioner for the period prior to March, 1998 while he was posted in Sheikhpura district, the amount of group insurance could not be paid to him. He has further contended that the petitioner is not entitled to receive the pay scale of second assured career progression.

5. Considering the rival stand of the parties, the writ petition is disposed of with a direction to the petitioner to file a comprehensive representation before the District Magistrate, Aurangabad within a period of four weeks from today raising all his claims. In case of filing such representation, the District Magistrate, Aurangabad shall be required to get the claim of the petitioner



examined and he shall pass a reasoned order on his claim within three months. In case any claim of the petitioner is found admissible, he shall be required to ensure that the payment of the same is made to the petitioner within the aforesaid stipulated period of three months. In case any claim of the petitioner is rejected, the order shall be communicated to him on his postal address.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.08.2017
Transmission Date	NA

