

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17917 of 2017

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Akhilshwar Prasad Singh son of Late Yogendra Prasad Singh Resident of Village - Sahpur, Under Block - Gwalpara, Police Station - Gwalpara, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The State of Bihar through the Principal Secretary, Aapda Prabhandhan Department, Government of Bihar, Patna.
3. The Accountant General, Bihar, Patna.
4. The District Magistrate Cum Collector, Madhepura.
5. The Additional Collector Cum Disciplinary Officer, Madhepura.
6. The District Provident Fund Officer, District - Madhepura.
7. The District Aapda Prabhandhan Officer, Madhepura.
8. The District Treasury Officer, Madhepura.
9. The Sub Divisional Officer, Madhepura, District - Madhepura.
10. The Sub Divisional Officer, Udakishunganj, District - Madhepura.
11. The Block Development Officer, Bihariganj, District - Madhepura.
12. The Circle Officer, Kumarkhand, District - Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shekhar Kumar Singh, Advocate
For the State	:	Mr. Rakesh Kumar Shrivastava, AC to GP 15
For the A.G.	:	Mr. Anjani Kr. Sharan, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 21-03-2018

Heard learned counsel for the petitioner; State and Accountant General.

2. The petitioner has moved the Court for the following reliefs:

“ i. For issuance of Writ/Writs, Order/Orders, Direction/Directions in the nature of mandamus



commanding the respondents, to immediately pay all the retirement benefits such a Provident Fund, Leave Encashment, Gratuity etc. Because the petitioner has already been retired on 31/01/2016 on the post of Head Clerk from Bihariganj Block, District – Madhepura,

ii. For further prayed that directed the Respondent, particular the Respondent No.-11, The Block Development Officer, Bihariganj, District-Madhepura, so that to immediately pay all the retirement benefits as well as the provisional pension with the interest of 18% per Annum with effect from the date of retirement i.e. 31/01/2016.

iii. For further any other relief/reliefs, order/orders, direction/directions, may deem fit and proper in the facts and circumstances of this case.”

3. Learned counsel for the petitioner submitted that he has superannuated on 31.01.2016 but retiral benefits have not been paid to him. After some arguments, he submitted that he has also made a representation with regard to the same before the respondent no. 4 on 06.10.2016 which is still pending. He submitted that the writ petition be disposed off directing the authorities to consider the representation and pass appropriate orders.

4. Learned counsel for the State does not oppose.

5. In view thereof, the writ petition stands disposed off



with a direction to the respondent no. 4 to ensure that the representation filed by the petitioner dated 06.10.2016, copy of which is Annexure-8 to the writ petition, if already not disposed off, be done so expeditiously and latest within four weeks from the date of production of a copy of this order before him. Whatever admitted to be paid to the petitioner shall be paid to him within two months from the date of passing of the order on the representation of the petitioner.

(Ahsanuddin Amanullah, J)

Anjani/-

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