

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20270 of 2016

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Raj Balam Singh, Son of Late Sidheshar Singh, resident of Mohalla- Belaganj
Dushadhi Tola, P.S.- Alamganj, District- Patna (Mali P.C.C.).

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. The Patna Municipal Corporation, Maurya Lok, Patna through its Municipal Commissioner.
3. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok, Patna.
4. The Executive Officer, Patna Municipal Corporation, Patna City Circle, Patna.
5. The Municipal Finance and Accounts Controller, Patna Municipal Corporation, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Ramendra Prasad
For the Respondent/s : Mr. Yogendra Prasad Sinha-Aag7

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 28-11-2018 Heard learned counsel for the parties.

The petitioner is a superannuated employee of Patna Municipal Corporation and seeks a direction to the concerned respondent i.e. respondents no. 2 to 5, who are authorities of the Patna Municipal Corporation including the Commissioner, to make payment of his post retiral benefits. The details of the claim are listed in paragraph-1 and reads under:

- “ 1. Gratuity with admissible D.A. 3% interest
2. Unutilized leave
3. Time to time enhance D.A. difference
4. Arrear of A.C.P.



5. Sixth enhance revised scale differences from
1.4.2007 to 30.9.2010

6. Group Insurance

7. Salary dues for the month of November, 2001

8. And other rest remaining dues.”

The complaint of the petitioner is that although he superannuated on 31.1.2016 from the post of Mali under Patna City Circle of the Corporation but he has been paid nothing and it is in these circumstances that he has moved this Court.

A counter affidavit is filed by the Department of Urban Development and Housing to shift the responsibility on the Corporation.

There is no representation on behalf of the Corporation although the name of learned counsel is reflected in the cause list.

In the circumstances noted and considering the nature of the grievance raised, I am persuaded to direct the Patna Municipal Commissioner to either by himself or through the authority concerned examine the claim of the petitioner as raised in the writ petition and also noted hereinabove which relates to his post retiral benefits and dispose of the same within a period of three months of the receipt/ production of a copy of



this order.

It goes without saying that such of the claim that is found admissible should be paid to the petitioner within the same period and such of the claims which are not found admissible be disposed of by a speaking order to be passed within the same period.

The writ petition is allowed with the directions above.

(Jyoti Saran, J)

Surendra/-

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