

## IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23871 of 2013

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1. Ram Prasad Mishra Son Of Late Brahmdatta Mishra Residence Of Mohalla Panchaitiya Akhara, P.S. Kotwali, District - Gaya

.... .... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary , Human Resources Development Department, Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Bihar, Patna
3. The Director, Primary Education, Human Resources Development Department, New Secretariat, Patna
4. The Regional Deputy Director Of Education, Magadh Division, Gaya
5. The District Education Officer, Gaya
6. The Treasury Officer, Gaya
7. The In-Charge Head Master, Swatantra Madhya Vidyalaya, Panchaitiya Akhara, Gaya
8. The Head Master-Cum-Drawing And Disbursing Officer, Mahabir Madhya Vidyalaya, Sawarajpuri Road, Gaya
9. The Accountant General, Bihar ,Patna

.... .... Respondent/s

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### Appearance :

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|----------------------|------------------------------------|
| For the Petitioner/s | : Mr. Shambhu Nath, Advocate       |
| For the Respondent/s | : Mr. Manoj Priyadarshi, Advocate  |
| For the State        | : Md. Mahtab Alam, A.C. to S.C.-20 |
| For the A.G. Bihar   | : Mr. Binod Kumar Labh, Advocate   |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL JUDGMENT**

**Date: 05-09-2018**

1. Heard learned counsel for the petitioner and counsel appearing on behalf of the State.

2. From the materials available on record, it appears that there is a communication gap between the District Treasury Officer, Gaya and the Allahabad Bank, Main Branch, Gaya. From the letter No.258 dated 26.02.2018, it is evident that the Senior Treasury Officer has admitted that the authority letter has been sent to the Manager, Allahabad Bank, Main Branch, Gaya on 16.07.2017 and the bank is taking the plea that the bank



has not received the aforesaid communication. Under the aforesaid circumstances, the writ application is disposed of with the direction to the Senior Treasury Officer, Gaya to send afresh the copy of the authority slip to the Manager, Allahabad Bank, Main Branch, Gaya through special messenger within fortnight from today and the Manager, Allahabad Bank, Main Branch, Gaya is directed to see that the payment is made to the petitioner within the period of one week from the date of receipt of the authority slip in connection with pension of the petitioner. In the event the Treasury Officer failed to send the authority slip within time indicated hereinabove, the Treasury Officer shall be liable to pay a cost of Rs. 15,000/- to the petitioner and if the Bank committees any delay in payment of the pensionary benefits to the petitioner then the entire payment will carry interest @ 15 per cent from the date of receipt till the date of actual payment made by the Allahabad Bank, Main Branch, Gaya.

3. In the meanwhile, the D.D.O. is required to ensure payment of the difference of arrears of salary and arrears of pension and other admissible amount in favour of the petitioner, if not already paid.

4. With the aforesaid observation and direction, the writ application is disposed of.

(Anil Kumar Upadhyay, J)

Sanjeev/- Mukesh/-

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| AFR/NAFR          | NA           |
| CAV DATE          | NA           |
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