

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.425 of 2017

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Ram Chhabila Ram, Son of Late Rajdeo Ram, Resident of Village - Anaha,
Police Station- Daudnagar, District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Education Officer, District Aurangabad
4. The District Programme officer (Establishment), District Aurangabad
5. The Block Education officer, Daudnagar Block, District - Aurangabad
6. The Treasury Officer, Daudnagar, District - Aurangabad
7. The Accountant General, Birchand Patel Marg, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Dubey, Adv.
For the Respondent/s : Mrs. Shilpa Singh, GA 12

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date : 27-11-2018

Heard Mr. Sunil Kumar Dubey, learned counsel for the petitioner, Mr. Ravindra Priyadarshi, learned counsel for the Accountant General and Mr. Sunil Kumar, learned AC to GA 12 for the Respondent State.

The present writ application has been filed for a direction to the respondent authorities to make payment of due amount of pension and other retiral benefits. The relief prayed for, as stipulated in paragraph no.1 of the writ application, reads as follows:-

“That the petitioner prays for issuance of a writ in the nature of Mandamus commanding and directing the Respondents concerned to pay the due amount of



pension and other retiral benefits such as General Provident Fund, Gratuity and commutation of pension with statutory and penal interest which has not been paid to him till date despite the fact that the petitioner has already retired on 31.01.2016 from the post of Assistant Teacher in Middle School, Belhari under Daudnagar Block and necessary orders for payment of the same have also been issued. The petitioner further prays to pay him arrears of pension which is due since 01.02.2016. And/or for issuance of any other relief(s) for which the petitioner is found to be entitled in the facts and circumstances of the case.”

Learned counsel for the petitioner submits that the petitioner retired from the post of Assistant Teacher on 31.10.2016. It is further submitted that entire retiral benefits have already been paid to the petitioner. Similar is the statement in Paragraph No. 5 of the counter affidavit filed by the Respondent No.3, District “Education Officer, District Aurangabad and of the learned counsels for the Account General and Respondent State. However, learned counsel for the petitioner submits that G.P.F. amount has been paid to the petitioner, seven months after his retirement, but the statutory interest on the delayed payment has not been paid to him, however, there is no pleading to that effect in the writ application.



In the circumstances, since the grievances of the petitioner, as pleaded in the writ application, have already been redressed, the present writ application is disposed of with liberty to the petitioner to submit a representation before the concerned authority for payment of statutory interest on delayed payment of G.P.F. amount, within a period of four weeks from the date of receipt/production of a copy of this order, when it is expected from the concerned authority to dispose of the representation of the petitioner with a reasoned order within a period of eight weeks of its submission.

(Dinesh Kumar Singh, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

