

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2072 of 2017

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Ratan Lal Das, Son of Late Devendra Nath Das, Resident of Mohalla-
Laliyahi, P.S.- Katihar Town, District- Katihar.

... .. Petitioner/s

Versus

1. The Punjab National Bank through the Sr. Manager, P.F. and Pension Department, Rajendra Bhawan- IV Floor, Rajendra Place, New Delhi-110008.
2. The Regional manager, Punjab national Bank, Muzaffarpur.
3. The Sr. Manager, Punjab National Bank Circle Office at Darbhanga, District- Darbhanga.
4. The Branch Manager Punjab National Bank, Daulat Ram Chowk, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Adv. Mukesh Kumar Jha
For P.N.B.	:	Mr. Kumar Priya Ranjan, (SC) Mr. Niraj Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-11-2018 Heard Mr. Bhola Prasad, learned counsel for the
petitioner and Mr. Kumar Priya Ranjan, learned S.C. for P.N.B.

The present writ application has been filed for
payment of arrears of salary and retiral dues. The relief prayed
for, as stipulated in paragraph no.1 of the writ application, reads
as follows:-

“That this is an application for issuance of an
appropriate writ, order or direction, directing the
Respondent Bank to pay following dues to the
petitioner, who has been retired from service on
31.07.2015.

(i) Amount of D.A. on increment due from
2004 till date.



(ii) Officiating allowance due for 3 months just before retirement and any other retiral dues.”

A counter affidavit has been filed on behalf of the respondents making specific statement in paragraph nos. 6, 7 and 8 to the effect that all the retiral dues and other benefits have been paid to the petitioner. Paragraph nos. 6,7 and 8 read as follows:-

“6. That the Stagnation Increment (i.e. 2nd/3rd/4th/5th/) due to Shri Das has been released in the month of June, 2015 subsequently before his retirement and the arrears has been paid to Shri Das in the month of June, 2015 with other basic of Rs. 205794.70, other HRA of Rs. 23862.93, other Officiating Allowance of Rs. 85921.90. As per Arrear Sheet (PAID & PAYABLE) w.e.f. 01.11.2012 to 31.05.2015 of Shri Das the same has already been paid DA of Rs. 395804.48 in comparison to payable of Rs. 183091.74, thus DA of Rs. 212712.74 which are in negative figure.

7. That the Officiating Allowance of Rs. 3969.65, Rs. 5591.39, Rs. 85921.90 (including arrear) has been paid in the month of March, May and June, 2015, respectively. The officiating allowance are payable through HRMS System automatically, however it is observed in the salary register of Shri Das that the officiating allowance for the month of July 2015 entered in HRMS system for vacant post of clerk has not been paid. The petitioner was inactive in HRMS due to retirement on 31.07.2015, therefore the officiating



allowance was not been paid through system for July, 2015. After due permission from the HO, the same has been paid on 31.08.2017 in his account amounting to Rs. 6883.25.

8. That it is submitted that as per office record, presently no amount is due for payable to the petitioner by the bank.”

In view of the stand of the respondents taken in the counter affidavit, learned counsel for the petitioner prays for disposal of the present writ application with a liberty to agitate the issue again if any amount has been left over to be paid.

Considering the present stand of the respondents and confined prayer of the learned counsel for the petitioner, the present writ application is disposed of with liberty above mentioned to the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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