

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7972 of 2008

Pravin Kumar, son of late Dr. Gopalan Sharma, resident of village-Manjhauli,
Police Station-Phulwarisharif, District-Patna, A/P resident of Dr. Arun Kumar,
Mohalla-Ashoknagar, Road No. 8, P.S.-Kankarbagh, District-Patna-20.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Animal Husbandary Department,
Bihar, Patna
2. The Director, Animal Husbandary, Bihar, Patna
3. The Accountant General, Bihar and Jharkhan Virchand Patel Marg, Patna
4. The State of Jharkhand, through Secretary, Animal Husbandary
Department, Jharkhand, Ranchi
5. The Director, Animal Husbandary, Jharkhand, Ranchi
6. The Block Development Officer, Manjhari (West Singhbhum), Chaibasa
7. The District General Profident Fund Officer, Chaibasa

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. AMRENDRA KUMAR SINHA NO-1
For the Respondent/s : Mr. (SC11)

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 22-02-2018

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

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

“(A) For issuance of a direction to the Respondents to make payment of death-cum-retiral benefits to the petitioner of his Late father which was not paid till today after laps of more than 10 years of death i.e. G.P.G., Leave incashment and salary dues between the period of 1994-97 and pension and gratuity in revised scale.

(B) For a direction to pay interest on each and every count including interest on market rate till



today and also a direction to make payment of interest on group insurance which was paid to the petitioner without interest.

(C) For any other appropriate relief/reliefs which the petitioner may deemed entitled.”

3. It appears that the dues are that of late Gopalan Sharma, the father of the petitioner. From the materials on record and the pleadings, it transpires that there was some controversy with regard to Rs. 72,000/- excess received by the mother of the petitioner on account of Group Insurance, but from the reply filed by the petitioner on 28.04.2014, it transpires that the said Rs. 72,000/- has been returned by way of bank draft dated 23.12.1997 in favour of the Respondent No. 6. If that be so, the said controversy now has to be finally closed as the excess amount has been returned by the mother of the petitioner herself to the authority concerned. Moreover, the stand of the State of Jharkhand is that, as on 15.04.2014, when supplementary counter affidavit was filed on behalf of the Respondent No. 4, an amount of Rs. 51,648/- on account of gratuity and Rs. 1083/- differences of salary on account of revised pay-scale, remains to be paid.

4. Having regard to the aforesaid, the writ petition stands disposed off with a direction to the Respondent No. 6 to verify



with regard to the payments already made, either to the father of the petitioner or his mother or his elder brother, especially with regard to the stand that Rs. 72,000/- has been returned by the mother of the petitioner and thereafter, the remaining payments, including those noted above, be made to the petitioner, if already not paid. For such purpose, let the petitioner make a representation before the Respondent No. 6 within four weeks from today, along with a copy of this order, which shall be considered in terms of the discussions made hereinabove, and upon verification from the records, a reasoned order shall be passed with regard to the entitlement of the petitioner. If it transpires that as per the records, same amount is required to be paid to the petitioner, the same shall be paid to him within four weeks from the date of passing of the order on his representation.

(Ahsanuddin Amanullah, J)

Ajay Gupta/-

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