

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1996 of 2014

In

Civil Writ Jurisdiction Case No. 23044 of 2011

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1. Parmeshwar Nath Mishra Son of Late Devidayal Mishra resident of Village + P.O.- Sonbarsa, Police Station - Charpokhari in the district of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar through Mr. Mihir Kumar Singh son of not known to the petitioner the Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna.
2. Mr. Mihir Kumar Singh son of not known to the petitioner The Principal Secretary, Minor Irrigation Department, Government of Bihar, Patna.
3. Mr. G.K. Paramhans son of not known to the petitioner The Additional Secretary, Minor Irrigation Department, Government of Bihar, Patna.
4. Mr. Birendra Ram son of not known to the petitioner the Chief Engineer, Minor Irrigation Department, Bihar, Patna
5. Mr. Laxmi Pd. Chauhan son of not known to the petitioner the Director, General Provident Fund, Pant Bhawan, Bailey Road, Patna.
6. Mr. Manish Kant Jha son of not known to the petitioner the District Provident Fund Officer, Muzaffarpur.
7. Mr. Sanjay Kumar son of not known to the petitioner the Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Respondent/s : Mr. Sameer Kumar, AC to SC 16

For the Accountant General: Mr. Rabindra Kumar Priyadarshi, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER



8 31-10-2018 Learned counsel for the petitioner submits that the order of the learned writ Court was passed on 06.08.2013, the pension of the petitioner has now been fixed but in the meantime, 7th Pay Revision has come into force, therefore, pension was required to be fixed as per the recommendation of the 7th Pay Revision. Learned counsel for the petitioner, therefore, submits that a true compliance of the writ Court's order would have been only by fixing of the pension of the petitioner taking note of the benefits which accrued to the petitioner by virtue of the 7th Pay Revision recommendations.

Learned counsel for the State is present and submits that the order of the learned writ Court has already been complied with in its true terms and spirit. The petitioner was a work charge employee and there was no deduction from his salary on account of GPF during the period 1973 to 1980 and, therefore, nothing was found admissible towards payment under the GPF dues for the aforesaid period. Even learned counsel for the petitioner submits that except that there is compliance of the order of the learned writ Court. So far as his grievance with regard to the benefit of 7th Pay Revision while fixing the pension is concerned, he may agitate the same before the competent Authority.

It is expected that such request of the petitioner shall



be considered by the competent Authority within a reasonable time.

Learned counsel for the Accountant General is also present.

The application stands disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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