

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8408 of 2016

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Ashgar Hussain S/o Mobarak Hussain Resident of Polo Road Shahgaddi
Kabristan, P.O. G.P.O. Patna - 1, P.S. Airport, District - Patna.

.... Petitioner.

Versus

1. The State of Bihar through Principal Secretary, Department of Health, Govt. of Bihar, Vikas Bhawan, P.O. Secretariat, Patna.
2. Joint Secretary, Department of Health, Govt. of Bihar, Vikas Bhawan, P.O. Secretariat, Patna.
3. State Drugs Controller, Drugs Control Administration, Bihar, Vikas Bhawan, P.O. Secretariat, Patna.
4. Sectional Officer, Section - 5, Department of Health, Govt. of Bihar Vikas Bhawan, P.O. Secretariat, Patna.
5. Sectional Officer, Section 15, Drugs Control Administration, Bihar, Vikas Bhawan, P.O. Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh
For the Respondent/s : Mr. Uday Shankar Sharan Singh- Gp1

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

6 15-05-2018

Heard learned counsel for the petitioner and the State.

2. The petitioner has moved this court for following
relief:

“This application is being filed for issuance of an appropriate writ or writs in the nature of ‘Mandamus’ commanding the Respondents to fix the pension of the petitioner considering the amount payable of M.A.C.P.S. under third Vidya Unnain and pay the same to the petitioner



inclusive of the dues accrued and all the retiral dues amount including the gratuity”.

3. It is admitted at the bar that all dues in terms of the relief claimed, have been paid. However, learned counsel for the petitioner submitted that he has also applied for commutation of pension and the matter is still pending.

4. Be that as it may, as there is no such relief prayed in the present writ application, the grievance raised by the petitioner has been redressed.

5. Accordingly, the writ petition stands disposed off.

6. However, with regard to the claim for commutation of pension, it shall be open to the petitioner to move before the appropriate forum/authorities, in accordance with law, who shall consider the request as per the relevant statutory provisions and whatever is required to be done in the matter, the authorities shall pass appropriate orders.

(Ahsanuddin Amanullah, J)

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