

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12327 of 2017

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Aqueel Abedin, son of Late Atiquddin, Resident of Nariyal Ghat, Takiyapar,
Danapur, P.O.- Digha, P.S.- Danapur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Deptt. of Transport, Bihar,
Patna.
2. The District Transport Officer, Bhagalpur at P.O. & P.S. Bhagalpur, District
Bhagalpur.
3. The Accountant General, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Narayan Singh, Sr. Advocate
Mr. Subodh Kumar, Advocate

For the Respondent/s : Mr. Chittranjan Sinha, PAAG-2
Mr. Shailendra Kumar, AC to PAAG-2

For Accountant General : Mr. Rabindra Kr. Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 05-11-2018

The instant writ application has been filed by the petitioner for a direction to the respondents to make payment of the pension amount admissible to the father of the petitioner.

2. The father of the petitioner superannuated on 31.01.2008 from District Transport Office, Bhagalpur and he died on 30.11.2013. The mother of the petitioner also died on 07.02.2014.

3. The petitioner, who is the son of the late employee, has filed the present writ application for a direction to ensure payment of the payable dues of his father, as the petitioner is the sole heirs of Late Atiquddin, a retired clerk of Transport Department.

4. On behalf of respondent no.-2 statement has been



made in the counter affidavit that payment has been made to the petitioner.

5. Mr. Narayan Singh, learned senior counsel appearing on behalf of the petitioner disputes that other than the arrears from the office of District Transport Office, Bhagalpur, petitioner was not paid arrears payable to his father, while he was posted in different Transport Office.

6. Considering the dispute made by the petitioner, the writ application is disposed of with liberty to the petitioner to file representation along with a copy of this order before the District Transport Officer, Bhagalpur detailing therein that the arrears has not been paid.

7. In case, such representation is filed along with details of the arrears, the District Transport Officer, Bhagalpur shall provide an opportunity of hearing to the petitioner and pass order with regard to the arrears and provide calculation chart to the petitioner.

8. Necessary decision with regard to balance amount as claimed by the petitioner must be taken by the District Transport Officer, Bhagalpur within a maximum period of three months from the date of receipt of representation along with calculation chart.

9. It is needless to state here that in the event the respondent admits any other amount payable to the petitioner, the



same may be paid to the petitioner within a further period of two months from the date of such decision.

10. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.11.2018
Transmission Date	

