

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11341 of 2008

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1. Sunaina Devi
 2. Arun Kumar
 3. Arbind Kumar
 4. Amarendra Kumar
 5. Neelam Kumari.

All widow, Sons and daughter of Ramawatar Rawat and residents of Rajapur,
P.S. Krishnapuri and District- Patna.

6. Kumari Puspa, Wife of Ajay Kumar @ Babluji, Resident of Village- Dighwara,
P.S. Dighwara, District- Chapra (Saran).

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum-Secretary, Health
Department, Government of Bihar, Patna.
2. Director in Chief, Health Services, Health Department, Government of Bihar,
Patna.
3. The Commissioner-cum-Secretary, Co-operative Department, Government of
Bihar, Patna.
4. The Commissioner-cum-Secretary, Irrigation Department, Government of
Bihar, Patna.
5. The Chief Engineer, Advance Planning Irrigation Department, Bihar, Patna.
6. The Commissioner-cum-Secretary, Department of Finance, Government of
Bihar, Patna.
7. The Secretary, Department of Appointment and Administrative Reforms, Patna.
8. The Accountant General, Bihar, Patna.
9. The Director, Provident Fund, Bihar Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 28-02-2018



Heard learned counsel for the petitioners and the State.

2. The petitioners have moved the Court for the following reliefs:

“I. For issuance of an appropriate writ and/or direction commanding the respondents to provide the remaining retiral dues after revising the pay of scale of Rs. 1800-3330/- w.e.f. 01.03.1989, Rs. 2000-3500/- w.e.f. 01.03.1991 and Rs. 2000-3800/- w.e.f. 01.03.1996 with consequential benefits alongwith interest @ 18% thereof.

II. For the direction upon the respondents to provide the interest @ 18% on the amount which had been withheld by the respondents and paid to him after considerable delay.

III. For the other relief or reliefs which the petitioner is entitled to.”

3. From the materials on record, it appears that the late husband of the petitioners, i.e., the original writ petitioner has not only been granted pay scale of Rs. 2000-3800/- with effect from 01.03.1996, further, by calculating the pensionary benefits on the same, his retiral benefits have also been paid to him. This is the categorical stand taken in the second supplementary counter affidavit filed on behalf of respondents no. 1 and 2, copy of which was served on learned counsel for the petitioners on 23.01.2015. No reply to the same has been filed.

4. In view of the aforesaid, the Court has no reason to disbelieve the stand taken by the State authorities on oath before the Court in the present proceeding.



5. Accordingly, the Court does not find the necessity to pass any specific order in the present case and the writ petition stands disposed off.

6. However, the petitioners shall be at liberty to file representation before the appropriate authority, in accordance with law, if the petitioners have any further grievance in the matter.

(Ahsanuddin Amanullah, J.)

P. Kumar

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