

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15084 of 2016

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Smt. Shashi Bala, W/o Late Arun Kumar Sinha, at Present Resident of
C/o Naresh Kumar, 301-Chandradeep Apartment, Beli Road, Jagdeo
Path Chowk, P.S.- Rupaspur, Distt-Patna ...
Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Agriculture, Deptt.,
Government of Bihar, Patna
2. The Joint Director, Plant Protection Center, Ara, District-Ara
3. The Junior Plant Protection Director, Ara Distt-Ara
4. The Junior Plant Protection Director, Plant Protection Center,
Phulwarisharif, Distt-Patna ...
Respondents

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Appearance :

For the Petitioner	:	Mr. Santosh Kumar Verma, Adv.
For the State	:	Mr. Sanjay Kumar, AC to SC XV
For the AG	:	Mr. Kumar Priya Ranjan, SC with Mr. Niraj Kumar, AC to SC

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH
ORAL JUDGMENT

Date : 05-07-2018

Heard learned counsel for the petitioner and State.

2. The petitioner has moved the Court for the
following relief :

*“..... for issuance of writ in the nature of mandamus
directing the respondents to pay the post retiral legal dues
i.e., Pension, Gratuity, G.P.F., Earned Leave etc. to the
petitioner without further delay.”*



3. In view of the materials brought on record, it appears that Provident Fund and Earned Leave have been paid to the petitioner and as far as Gratuity is concerned, necessary sanction order has also been sent to the Accountant General who now is required to issue the authority slip. With regard to pension, it has been stated that the same is not admissible.

4. Learned counsel for the petitioner does not dispute the stand of the State.

5. Having regard to the aforesaid, let the Accountant General (A & E), Bihar, Patna, be impleaded as respondent no. 5. Let necessary correction be made by learned counsel for the petitioner during the course of the day.

6. Mr. Kumar Priya Ranjan, learned counsel, who is present, at the request of the Court, has accepted notice on behalf of the newly added respondent no. 5. He may communicate the order to the Accountant General.

7. The writ petition stands disposed off with a direction to the respondent no. 2 to ensure that whatever order with regard to payment of Earned Leave has been passed in favour of the petitioner, the same is implemented and amount actually paid to her within three weeks from the date of



production of a copy of this order before him. Similarly, the newly added respondent no. 5 is directed to ensure that authority, if not already issued, be issued in favour of the petitioner within two weeks from the date of production of a copy of this order in terms of the sanction order sent to him by the Assistant Director, Plant Protection, Bhojpur at Ara, under his letter no. 18 dated 30.01.2018, copy of which is Annexure “E” to the second supplementary counter affidavit filed on behalf of the respondent no. 3. For the sake of convenience, let the petitioner enclose copy of Annexure “E” along with the order of the Court and serve it on the newly added respondent no. 5 so that appropriate authority can be issued in her favour.

(Ahsanuddin Amanullah, J)

Shamshad/-

AFR/NAFR	NAFR
Uploading Date	10.07.2018

