

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15872 of 2014

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Shyam Kumar Roy son of Late Ramprit Roy Resident of village and P.O. Titira, P.S. Mairwa, District - Siwan, the retired Junior Engineer, Public Health Engineering Department, Mehshi Section, Dhaka Division, District - East Champaran at Motihari At Present Adarsh Nagar, Lane No. 3, in front of Bhel Colony, Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna
2. The Engineer - in - Chief, Public Health Engineering Department, Government of Bihar, Patna
3. The Regional Chief Engineer, Public Health Engineering Department, Muzaffarpur Region, Muzaffarpur
4. The Superintending Engineer, Public Health Engineering Circle, Motihari, District - East Champaran at Motihari
5. The Executive Engineer, Public Health Engineering Division, Dhaka, District - East Champaran at Motihari
6. The Sub - Divisional Officer, Public Health Engineering Sub - Division, Chakiya, District - Champaran at Motihari
7. The Provident Officer, East Champaran at Motihari, District - East Champaran at Motihari
8. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh with
Smt. Divya Bharti, Advocates

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 04-05-2018



Heard learned counsel for the petitioner and State.

2. Though the petitioner had moved the Court for the following reliefs:

*“ (I) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities for payment of post retirement benefits to the petitioner under the following Heads:-*

(a)Gratuity;

(b) Leave Encashment;

(c)General Provident Fund;

(d) Pension

(e) Arrears of salary as well as differences arrears of salary on account of sixth pay revision etc.”

*(II) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent Authorities to pay the aforesaid dues of the petitioner arising out of his retirement benefits with interest on the ground that the payments of the retirement benefits of the petitioner has been delayed on account of deliberate action of the Respondent Authorities and no fault can be attributed to the petitioner.*

(III) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be entitled under the facts and circumstances of the case.”



but in view of the pleadings on record, it appears that the admissible dues, as of now, have been paid to the petitioner, except for G.P.F., about which the stand in the counter affidavit filed on behalf of respondent no. 5 today is that the authorization has been sent to the authorities for payment of Rs. 6,52,139/-, and which would be paid within four weeks.

3. With regard to any other dues which remain, learned counsel submitted that the same shall be governed by the Full Bench judgment of this Court dated 02.05.2018 passed in **C.W.J.C. No. 15328 of 2016** in the case of **Arvind Kumar Singh Vs. The State of Bihar & Ors.** and analogous cases.

4. Having regard to the aforesaid, the writ petition stands disposed off with a direction that as has been stated in the counter affidavit, G.P.F. amount be paid to the petitioner within four weeks from the date of production of a copy of this order before respondents no. 2 and 7.

(Ahsanuddin Amanullah, J)

Anjani/-

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