

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 15648 of 2016

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Bimla Devi, Wife of Ram Anuj Ram, Residing at Village- Pandarak, Post Office- Pandarak, Police Station- Pandarak, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Human Resources Department, Government of Bihar, Patna.
2. Director, Primary Education, Human Resources Department, Government of Bihar, Patna.
3. Regional Deputy Director Education, Bhagalpur Division, Bhagalpur.
4. District Programme Officer, Establishment (Education), Jamui.
5. Principal Government High School Lath Lath, Jamui.
6. Director General of Police, Government of Bihar, Patna.
7. Police Station in-Charge of Barhat, District- Jamui.
8. Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mani Madhukar, Advocate
For the State : Mr. Rajeev Ranjan, Advocate, AC to G.P.20
For the Accountant General : Mr. Shiv Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 22-11-2018

Heard learned counsel for the petitioner; State and Accountant General.

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

“That, this an application for issuance of a writ/writs, order/orders in the nature of mandamus to the respondents authorities to sanction and make payment of the retiral dues as noted above.

(A) Sanction of family pension w.e.f. 26.10.2007.

(B) Amount of General Provident Fund with statutory interest.

(C) Amount of Group Insurance with statutory interest.

(D) Amount of gratuity with interest as fixed by Govt.

(E) Amount of Leave Encashment.



(F) Interest for delayed payment of leave encashment at market rate i.e. 12%”.

3. From the pleadings on record, it appears that all formalities including issuance of authority in favour of the petitioner have been done. However, learned counsel for the State submitted that actual payment has not been made by Treasury and the petitioner has also not furnished certain documents/affidavit, which according to him the petitioner has undertaken to submit within a few days.

4. In view of the aforesaid, as the authorities have done their part of the job and, now, it is for the petitioner to ensure payment by complying with the required formalities, the writ petition having served its purpose, stands disposed off.

5. However, the authorities shall ensure that upon the petitioner complying the formalities, actual payment is credited into his account latest within one week from the date of completing of all formalities.

(Ahsanuddin Amanullah, J.)

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