

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 18036 of 2016

=====

Suranjan Prasad, Son of Late Deo Narayan Singh, resident of Mohalla C/o Janki Niwash Girdhari Lane, Gali No.2, Pirmuhani, P.S.- Gandhi Maidan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. The Patna Municipal Corporation, Maurya Lok, Patna through its Municipal Commissioner.
3. The Executive Officer, Patna Municipal Corporation, Bankipur Circle, District- Patna.
4. The Municipal Finance and Account Controller, Patna Municipal Corporation, Patna.

.... Respondent/s

=====

Appearance :

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

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-09-2018

Heard learned counsel for the petitioner; State and
Patna Municipal Corporation.

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

“1.That this is an application for issuance of an appropriate writ/writs, order/orders, direction/directions in forms of the Mandamus commanding and directing upon the Respondents No. 2 to 4 to pay the rest remaining retiral dues of the petitioner for sum of Rs. 1,78,043/-. The petitioner is retired on dated 11.10.1999 as a sanitary Supervisor from at Bankipur Circle in Patna Municipal Corporation. In this regard petitioner is being persistent met alternate date and month alongwith representation after retirement but Respondents No. 2 to 4



persistently negligence on the request petition of the petitioner but rest remaining amount herein after noted have not made payment are as follows:-

- i) P.F. alongwith interest.*
- ii) Revised pension differences dues time to time.*
- iii) D.A. difference*
- iv) Salary for the month of November, 2001*
- v) Remaining half suspension allowance during the suspension period from 22.10.1997 to 21.07.1999 (total period 22 months)*
- vi) Fifth revised scale differences (from 1.4.1997 to till retirement)*
- vii) Arrear of A.C.P.*
- viii) Remaining retiral dues for sum of Rs. 1,7,8043.*

The above noted dues withheld by the Respondents No. 2 to 4 without valid reasonable ground as well as prayer is that effective and operative direction may be given to the said Respondents to pay with admissible interest from the date of dues to till the date of payment.”

3. As the petitioner has filed this case as a retiral benefit matter and, thus, has been assigned, as per roster to this Bench, the Court is only required to look into the retiral benefit grievance of the petitioner.

4. With regard to the same, it is admitted that they have been paid.

5. However, learned counsel for the petitioner has raises an objection that salary for the period upon vacation of the



suspension of the petitioner has not been paid. The Court in the present case would not go into such dispute, as it is not a post retirement benefit matter.

6. Accordingly, the writ petition stands disposed off with liberty to the petitioner to move before the appropriate forum, in accordance with law, for any grievance for the in service period, which may still exist.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	
U	

