

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.600 of 2017

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Vishwanath Singh, Son of late Sajawal Singh, Resident of Village-
Prithavipur, Post Office- Vriti Bhagwanpur, Via- Satjora, Police Station-
Panapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Home
Minister Government of Bihar, Patna.
2. The Accountant General of Bihar, Patna.
3. The District Magistrate Saran at Chapra.
4. The Treasury Officer Saran at Chapra.
5. The Circle Officer Mashrak, Saran at Chapra.
6. The S.H.O. of Panapur Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	
For the State	:	Mr. Kumar Vikram, AC to GA-4
For the A.G. Bihar	:	Mr. L. P.K. Rajgirhar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2018 None appears on behalf of the petitioner. However,

learned Counsels for the State and the Accountant General are

present.

The present writ application has been filed for
payment of death-cum-retirement benefit amounting to
Rs.1,91,866/- to the petitioner.

There is specific averment made in paragraph nos. 5



and 6 of the counter affidavit, filed by Respondent Nos.3 and 5, the District Magistrate, Saran at Chapra and the Circle Officer, Mashrak, Saran at Chapra respectively, which reflects that the amount has already been paid by crediting the same in the account of the petitioner in 2013 much prior to filing of writ application, which read as under :-

“5. That the answering respondents take liberty with the Hon’ble Court’s permission to submit it that a lump sum amount i.e. Rs.1,90,866/- out of Rs.1,91,866/- under the head of Death-cum-Retirement benefit was already paid in the writ petitioner’s account by the department through Manual Treasury Bill No.121/12-13; online Bill No.120581590; bearing Token No.2013/01/0095 dated 10.01.2013 and the amount of Rs.1,90,866/- under the said head was transferred in the State Bank Account of petitioner Sri Vishwanath Singh bearing Saving Bank Account No.30887169135 in State Bank of India, Branch Chainpur & the same may also be confirmed from the perusal of Acquittance Rolls, the details are as given below :-

Sl. No.	Bill No.	Net Amount of the Bill	Nature of the Bill
1	121/12-13	Rs.1,90,866/-	Death-cum-Retirement Benefit (Gratuity)

6. That the rest of the due amount of Rs. 1,000/- under the Head of Death-cum-Retirement benefit was transferred in the aforesaid bank account of writ petitioner, Sri Vishwanath Singh on 22.10.2013 after receiving of sanction order from the Office of Accountant General Bihar with memo



no.07/Pen.120613070702/201311074393GO
dated 11.07.2013, which may be confirmed
from the perusal of Bank Account Statement
of the petitioner dated 22.10.2013.

In view of the specific averments made in paragraph
nos. 5 and 6 of the counter affidavit, the writ application stands
disposed of as having become infructuous.

(Dinesh Kumar Singh, J)

Ashwini/-

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