

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1302 of 2018

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Jai Narayan Singh son of Late Uttim Singh Resident of Village - Rajopatti
Nahar Chowk, Sitamarhi, P.S. - Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Principal Secretary, Planning Development Department, Government of Bihar, Patna.
4. The Additional Secretary (Administration), Water Resources Department, Government of Bihar, Patna.
5. The Deputy Secretary (Administration), Water Resources Department, Government of Bihar, Patna.
6. The Deputy Director, Planning Development Department, Government of Bihar, Patna.
7. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha
For the Respondent/s : Mr. Anjani Kumar -Aag4

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-11-2018 Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the State as well as learned counsel appearing on behalf of the Accountant General, Bihar, Patna.

Petitioner who retired as Assistant Engineer from Water Resources Department on 30.06.2017, has prayed for payment of retiral dues, gratuity, leave encashment, commutation of pension amount, revised pension and arrear of pension.

A counter affidavit has been filed on behalf of



respondent no. 2, 4 and 5 stating therein that gratuity, leave encashment and other retiral dues has been paid but so far as grant of benefit of third MACP and commutation of pension, are concerned, because of some punishment orders, his case was not considered.

It has been stated in paragraph-11 of the counter affidavit that with regard to grant of benefit of third MACP, since different punishment orders were effective against the petitioner, he was not considered earlier for grant of 3rd MACP but will be placed in the ensuing Departmental Screening Committee.

This writ application is disposed of with a direction to the respondent no. 2 to place the name of the petitioner in the ensuing meeting of the Departmental Screening Committee for consideration, and take a decision within a period of three months regarding fixation of pension and commutation of pension. The arrears accruing to the petitioner would be paid within six weeks thereafter.

The writ application is disposed of with the said observations.

(Nilu Agrawal, J)

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