

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1616 of 2019

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Sami Khatoon @ Shami @ Samima Mehtrani, Md. Raju, resident of Village-
Makshud Chak, P.S. Barh, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Nagar Parishad, through its Executive Officer, Barh, District- Patna.
3. The Executive Officer, Barh Nagar Parishad, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashutosh Kumar Jha
For the Respondent/s	:	Mr. Abbas Haider (Sc6)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 23-04-2019 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel appearing on behalf of the Nagar Parishad, Barh.

Petitioner retired from the post of Safai Karamchari from Barh Nagar Parishad w.e.f. 30.09.2017. She claims the retiral benefits and also difference of pensionary benefits under 5th and 6th Pay Revision as well as arrears of pension thereto.

A counter affidavit has been filed on behalf of the Barh Municipality stating at para-3 therein that all the retiral benefits have been paid to the petitioner with difference of salary from March 1989 to March 1991 but petitioner controverts that some dues still remain. It has further been stated that the 5th and 6th Pay Revision has been adopted by the Nagar



Parishad, Barh w.e.f. 01.04.2009 and 01.04.2016 respectively and already the petitioner was getting her salary as per the 6th Pay Revision which is clear from the payment chart as contained in Annexure-A series. However, learned counsel for the petitioner submits that still certain amounts are due towards retiral benefits.

Considering the submission of the parties, this writ application is disposed of with a liberty to the petitioner to file a detailed representation before the Respondent No. 3, The Executive Officer, Barh, Nagar Parishad, District-Patna regarding her unpaid dues which would be disposed of within a period of three months from the date of filing of such representation. Any remaining amount due to the petitioner would be paid within a period of two months thereafter.

(Nilu Agrawal, J)

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