

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13677 of 2005

Chandraketu Prasad Verma son of Late Banarsi Pd. Verma, r/o Village Jamua,
PS Dhaka, District East Champaran Petitioner

Versus

1. The state of Bihar through Secretary -cum- Commissioner, Health Department, Bihar Patna
2. The District Magistrate, East Champaran, Motihari
3. The Civil Surgeon -cum- Chief Medical Officer, East Champaran, Motihari
4. The First Medical Officer, Sadar Prakhanda, Motihari
5. The Treasury Officer, East Champaran, Motihari

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Tewari
For the Respondent/s : Mr.Gp1

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

9 06-09-2019 Counsel for the petitioner submits that he was granted 1st time bound promotion with effect from 1.4.1981 and senior selection grade with effect from 1.4.1986. Financial benefits on account of such promotion were not paid to the petitioner and as such he has filed writ petition claiming arrear difference of salary on account of such enhancement. The petitioner has since retired in the year 1998.

In course of proceeding an order has been issued by the Incharge Medical Officer of Sadar Block, Motihari, East Champaran on 15.9.2005 wherein entitlement of the petitioner has been denied and disputed.

Counsel for the petitioner submits that he has sufficient contemporaneous documents regarding financial benefits of the scale of Rs. 580 - 770/- with effect from 1.4.1981 and the higher scale of Rs. 680 - 965 with effect from



1.4.1986. He submits that he will place the documents before the authorities for reconsideration of the order passed by Incharge Medical Officer on 15.9.2005,

In the circumstances, since the issue has to be examined by the authorities themselves, no adjudication is called for in the instant proceeding and the same need not be kept pending.

The petitioner should approach respondent No. 3 in respect of his claim and make a detailed representation with reference to contemporaneous documents. If the petitioner is desirous of availing such reconsideration, the representation should be filed within four weeks. In the event the same is done, having regard to the fact that the petitioner has retired long back respondent no. 3 should examine the claim and dispose it of by a reasoned and speaking order within a period of three months thereafter.

The writ petition stands disposed.

(Madhuresh Prasad, J)

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