

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8885 of 2019

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Dinesh Kumar Dinkar, Son of Late Kameshwari Prasad Sharma, Resident of
Village-Ramgarh, P.S. Hilsa, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. The District Magistrate, Nalanda.
3. The Additional Collector, (Establishment), Nalanda.
4. The Block Development Officer, Chandi, Nalanda.
5. The Circle Officer, Rahui, Nalanda.
6. The Treasury Officer, Nalanda.
7. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajey Kumar
For the Respondent/s : Mr. Sheo Shankar Prasad (Sc8)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner retired from the post of Clerk on
31.10.2017 while working on deputation in the office of the
Block Development Officer, Chandi, District- Nalanda. A
departmental proceeding as well as vigilance case is pending
against the petitioner. He submits that in view of 43(c) of the
Bihar Pension Rules, the petitioner is entitled to 90% pension,
gratuity and all other retiral benefits including leave
encashment, group insurance, provident fund, etc. along with
admissible interest. He submits that the General Administration



Department has issued a General Circular with regard to retired employees who are facing departmental and vigilance case to release 90% pension, gratuity and other retiral benefits which is Annexure-7 dated 26.09.2018.

Considering the nature of claim and the letter issued by the General Administration Department, Government of Bihar, the respondent no. 2, the District Magistrate, Nalanda is directed to look into the claim of the petitioner and pay the admissible retiral benefits including the pension, gratuity and other dues within a period of three months from the date of receipt/production of the copy of this order.

Writ application is disposed of accordingly.

(Nilu Agrawal, J)

devendra/priyanka

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