

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19332 of 2016

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Rameshwar Singh Son of Late Ram Singar Singh, Resident of Village- Bhumihara, Post Office- Harpur Karah, Police Station- Baniyapur, District- Saran. at present residing at Mohalla- Budha Colony near B/30, Police Station- Budha Colony, District- Patna. Retired while working as Sub Inspector, Madhuban Police Station, District- Easr Champaran Motihari.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, Patna.
5. The Superintendent of Police, Patna.
6. The District Treasury Officer, Patna District- Patna.
7. The Regional Manager, State Bank of India, Anta Ghat, Gandhi Maidan, Patna.
8. The Branch Manager, State Bank of India, Branch Krishna Nagar, Patna, District- Patna.
9. The Accountant General, Bihar, Birchand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar Mishra
For the Respondent/s	:	Mr.Anil Kr. Singh- Gp26
For S.B.I.	:	Mr. Rakesh Kr. Singh
For the State	:	Mr. Anil Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

8 04-09-2019 The petitioner has prayed for the following reliefs :-

“ i) For issuance of a writ in the nature of mandamus for commanding and directing the respondent authorities concerned to revise the pension of the petitioner in terms of the revised pay scale of 2006 as determined by the 6th pay revision commission, as he is retired Sub Inspector, Madhuban Police Station, District-East Champaran (Motihari) and is entitled for revision of his pension on the basis of 6th pay revision commission with



effect from 01.01.2006 as he is also retired prior to 01.01.2006 i.e. on 03.06.2002

ii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to pay the arrears of pension along with statutory interest with effect from 01.01.2006 in terms of the 6th pay revision commission, for which the petitioner is entitled in terms of the Finance Department, Government of Bihar resolution no. 820 dated 23.09.2009 and also in terms of Gazette publication as contained in memo no. 384 dated 08.08.2012, whereby it has been made clear that the amount of revised pension of elementary pay and in total Grade pay, the same will not be less than 50%.

iii) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to consider the claim of the petitioner and to dispose of the representation of the petitioner by reasoned and speaking order, by mitigating his genuine claim of revision of pension with effect from 01.01.2006 without any further delay as the petitioner has also retired prior to 01.01.2006 i.e. on 03.06.2002. ”

The learned counsel for the petitioner submits that the petitioner would be approaching the respondent no. 3 for redressal of the aforesaid grievances by filing appropriate representation within a period of four weeks from today and the same be directed to be disposed off expeditiously.

Having regard to the short submission made by the learned counsel for the petitioner, I deem it fit and proper to grant liberty to the petitioner to approach the respondent no. 3



for redressal of the aforesaid grievances by filing appropriate representation within four weeks from today, whereupon the same shall be disposed off by the respondent no. 3 within eight weeks thereafter considering the resolution of the Finance Department dated 23.09.2009, as modified by resolution of the Finance Department dated 17.07.2018.

The present writ petition stands disposed off with the aforesaid directions. The outstanding dues, if any, found payable to the petitioner upon final decision taken by the State authorities, as aforesaid, shall be paid within a period of eight weeks from today.

(Mohit Kumar Shah, J)

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