

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9055 of 2017

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Sheo Shankar Singh Son of Late Amerika Singh, resident of Village- Sakari,
P.S.- Kudra, District- Kaimur Bhabhua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director General of Police, Bihar at Patna.
3. Inspector General of Police, Muzaffarpur.
4. Senior Superintendent of Police, Muzaffarpur.
5. The Accountant General , Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh
For the Respondent/s : Mr.Md.Nadeem Seraj-Gp5

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-03-2019 Heard the learned counsel for the petitioner, learned
counsel for the State and learned counsel appearing on behalf of
the Accountant General, Bihar, Patna.

Petitioner retired from the post of ASI while posted at
Meenapur, Panapur in the district of Muzaffarpur on
31.07.2009. Petitioner in the present writ application claims
pension in the light of 6th pay revision of pension with effect
from 01.09.2010 balance 10% gratuity along with interest.

Learned counsel for the petitioner submits that he had
earlier preferred a writ application being CWJC No.10308 of
2010 for payment of his retiral benefits, GPF Gratuity and
Leave Encashment which was disposed of on 06.07.2010 with a



direction to file representation which would be disposed of by the respondent authorities within six months and admitted dues would be paid. Having not received his retirement dues, the petitioner preferred MJC No.5613 of 2011 which was dismissed for default on 08.08.2012. It has further been submitted in para-9 and 10 of the writ application that a show cause had been filed in the contempt, wherein at paras-5 and 6, it had been stated that 90% provisional gratuity, leave encashment of 30 days and pension for the period from 01.08.2009 to 31.08.2010 amounting to Rs.5,40,586/- has already been sent in the account of the petitioner on 27.09.2010 Thereafter in para-10, which is the narration of para-6 of the show cause filed in the contempt application is stated that service book of the petitioner has been sent to different officials of the department for consideration of promotion to the petitioner.

Considering the nature of claim made by the petitioner, let the petitioner file a fresh representation detailing the amount due under each head and the respondent no.4 will dispose of the representation of the petitioner within a period of three months from the date of filing of such representation.

Any amount due to the petitioner also on account of revision as per the 6th pay revision with effect from 01.09.2010



shall be paid to the petitioner within a period of one month thereafter along with admissible interest. If certain amounts are inadmissible the same shall be communicated to the petitioner by a speaking order sent through registered post.

Writ application is disposed of accordingly.

(Nilu Agrawal, J)

B.Kr./-

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