

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7946 of 2018

Dr. Ved Prakash Giri Son of Punyadeo Giri, Resident of Mohalla- Sadhu Chowk, Hanuman Gathhi Sareya, Ward No.5, House No.255, P.S.- Town Police Station Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Animal Husbandry Department, Government of Bihar, Patna.
3. The Regional Director, Animal Husbandry Department, Saran at Chapra.
4. The Accountant General, Bihar, Patna.
5. The District Account Officer, Gopalganj.
6. The District Animal Husbandry Officer, Gopalganj.
7. The District Treasury Officer, Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Naresh Prasad, Adv.
For the Respondent/s	:	Mr. Wasi Ahmad Khan, AC to SC-25
For the A.G.	:	Mr. Binod Kumar Labh, SC, IA & AD

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 11-04-2019 Heard 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 District Animal Husbandry Officer, Gopalganj on 03.07.2016. The petitioner has preferred the writ application for payment of gratuity with interest, fixation of pension and payment of pension from 01.08.2016.

Counter affidavits have been filed on behalf of the respondents as well as the Accountant General, Bihar, Patna.



Counsel for the petitioner submits that now the only grievance is with respect to leave encashment of 300 days and the amount of Rs. 1,30,830/- which has been recovered from the gratuity on account of no dues certificate having not been issued for the said amount. The petitioner submits that vide Annexure-4 dated 16.10.2016, the entire accounts have been handed over to one Ramanuj Prasad Singh who was posted in the Animal Husbandry Department at Gopalganj.

Learned counsel for the Accountant General has filed a supplementary counter affidavit stating therein that vide PPO dated 26.06.2018 an amount of Rs. 10,16,390/- has been prepared towards leave encashment of 300 days of the petitioner and sent to the Treasury Officer at Gopalganj.

Considering the submissions made by the parties, this writ application is disposed of with a direction to the respondent no. 7, the District Treasury Officer, Gopalganj to credit the said amount of leave encashment of Rs. 10,16,390/- sanction by order dated 26.06.2018 as contained in Annexure-D to the supplementary counter affidavit on behalf of Accountant General within a period of one month from the date of receipt/production of the copy of this order.

So far as the petitioner having handed the entire



accounts as stated in the letter dated 16.10.2016 as contained in Annexure-4, the respondent no. 3, the Regional Director, Animal Husbandry Department, Saran at Chapra would look into the said aspect whether the petitioner has reconciled the accounts and pass a reasoned order within a period of two months from the date of receipt/production of the copy of this order. Any amount admissible would be paid to the petitioner within the said period.

(Nilu Agrawal, J)

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