

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15341 of 2019

Dr. Anil Kumar Chaudhary Son of Late Kedar Nath Ram Resident of Mohalla- Police Colony, Anishabad, Shastri Path, Paharpur, P.S.- Phulwarisharif, District- Patna, retired as Medical Officer, Sub- Divisional Hospital, Hathua, P.S.- Hathua, District- Gopalganj. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary of Health and Family Welfare Department, Government of Bihar, Patna.
2. The Director-in- Chief Health Services, Government of Bihar, Patna.
3. The Additional Director Health Services, Bihar, Patna.
4. The Civil Surgeon Gopalganj.
5. The Deputy Superintendent Sub- Divisional Hospital, Hathua, District- Gopalganj.
6. The Accountant General Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Niranjan Kumar
For the Respondent/s	:	Mr.Ajay Bihari Sinha (Ga8)
	:	Mr. Neeraj Raj
For A/G	:	Mr. Rabindra Kr. Priyadarshi

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 08-11-2019

1. The present writ petition has been filed for directing the respondents to make payment of the retiral benefits of the petitioner herein.

2. Admittedly, all the post retiral benefits except 90% pension, 90% gratuity and the amount of leave encashment has stood paid.

3. Now, the learned counsel appearing for the respondent-State and the learned counsel appearing for the Accountant General, Bihar, Patna have filed their counter



affidavit, wherein the authority letters issued by the Accountant General, Bihar, Patna pertaining to leave encashment amounting to a sum of Rs. 20.46 lacs approximately as also the Pension Payment Order and the Gratuity Payment Order dated 25/23.09.2019 have been annexed.

4. The learned counsel for the respondent- State has submitted that the leave encashment amount has already been paid and as far as 90% pension and 90% gratuity amount is concerned, if the same has not been paid, the same shall be paid within a period of two weeks from today. It is directed accordingly.

5. It is needless to state that in case, within a period of two weeks from today, the aforesaid amount of 90% pension and 90% gratuity is not credited to the account of the petitioner, the Director-in-Chief, Health Services, Government of Bihar, Patna and the Treasury Officer, Patna shall not draw their salary.

6. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.11.2019
Transmission Date	NA

