

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15583 of 2019

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Mithilesh Kumar, aged about 61 years, male, Son of Late Ayodhya Prasad Gupta, Resident of Mohalla- Mahajan Toli, Near Sukha Rouza, Ward No. 17, Sasaram, P.S.- Sasaram Town, Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The Dy. Collector, Establishment, Rohtas, Sasaram.
4. The SDO, Sasaram.
5. The BDO, Bikramganj, Rohtas.
6. The District Supply Officer, Rohtas, Sasaram.
7. The Accountant General, Bihar Bichand Patel, Patna.
8. The Assistant Excise Commissioner, Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra, Adv.
For the Respondent/s : Mr. Ravi Verma, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 07-08-2019

Heard the learned counsel for the parties.

2. The petitioner is aggrieved by the fact that despite the departmental proceeding against him having been concluded, he has not been paid his pension, arrears of



pension and arrears of salary for the suspension period.

3. Though, strictly speaking, the relief claimed in the present petition is required to be adjudicated by a Bench dealing with post-retiral benefits. However, considering the fact that the petitioner has recently superannuated and no final order with respect to the departmental proceeding initiated against him has been passed, but he has only been informed that his explanation has been accepted and that shortly an order shall be passed, this Court has entertained the present petition.

4. The petitioner is directed to make a representation before the District Magistrate, Rohtas at Sasaram (respondent No. 2), detailing his grievances, within a period of two weeks from today, who, on receipt of the same, after verifying the facts and ascertaining the entitlement of the petitioner, shall pass necessary order in accordance with law within a further period of eight weeks thereafter.

5. Only if the claim of the petitioner is found to be tenable, necessary sequel order shall also be passed by



the concerned respondent within the aforesaid period.

6. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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