

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20426 of 2016

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Girish Kumar, Son of Late Ramji Kumar, resident of village - Itawa, P.O. Dumari, Via - B.R.T. Barauni, P.S. Muffasil Begusarai, District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna
2. Principal Secretary, Water Resources Department, Government of Bihar, Patna
3. Engineer - in - Chief (South), Water Resources Department, Government of Bihar, Patna
4. Under Secretary (Prabandhan), Water Resources Department, Government of Bihar, Patna
5. Chief Engineer, Water Resources Department, Gaya, District - Gaya
6. Executive Engineer, Flood Control Division, Buxar
7. The District Provident Fund officer, Buxar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Durga Nand Jha
For the Respondent/s : Mr.Vikash Kumar- Sc11

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 03-01-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner who retired from the post of Junior Engineer on 31.08.2007 claims payment of retiral benefit including pension, gratuity, general provident fund, leave encashment, insurance amount and revision of pension in consequence to grant of ACP w.e.f. 01.01.2006.

A counter affidavit has been filed on behalf of the respondent nos. 1 to 6 stating therein that so far as the retiral benefit of the petitioner is concerned the respondent no. 6 the



Executive Engineer, Flood Control Division, Buxar has been instructed to collect information from different posting places of the petitioner so that the consequential admissible benefit would be accorded to the petitioner. Letter no. 691 dated 28.02.2018 which is Annexure-A has been enclosed by which respondent no. 6 Executive Engineer, Flood Control Division, Buxar has been instructed to collect data of different places of posting. So far as G.P.F. is concerned, the same has been sent to the District Provident Fund Officer, Buxar for issuance of authority slip by letter no. 150 dated 05.02.2018 which is annexed as Annexure-C to the counter affidavit.

Learned counsel for the petitioner submits that in spite of the said sanction no payment with regard to the retiral benefit has been yet released in favour of the petitioner although provisional pension is being granted from June, 2017.

Considering the nature of claim made by the petitioner and the averments made in the counter affidavit filed by the respondent nos. 1 to 6, this writ application is disposed of with a direction to the respondent no. 6 to calculate and make payment of the retiral dues of the petitioner within a period of three months from the date of receipt/production of a copy of this order. So far as the General Provident Fund of the petitioner



is concerned, the District Provident Fund, Officer, Buxar respondent no. 7 is directed to prepare authority slip and make payment of the GPF amount along with the statutory interest within two months from the date of receipt/production of a copy of this order.

(Nilu Agrawal, J)

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