

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19635 of 2019

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Lalan prasad Singh Son of Late Guru Prasad Singh, R/o Binda Bhawan
Opposite Road no.5, Near Ram Lakhan Singh High School, Punaichak, PO
and PS-Shastri Nagar, Town and District-Patna-800023.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Food and Consumer Protection Department,
Government of Bihar, Patna.
3. The In-Charge Officer, Finance (Personal Claims Fixation Cell),
Department, Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The Additional District Magistrate (Supply), Patna.
6. The Sub Divisional Officer (SDO), Danapur Patna.
7. The Treasury Officer, Patna.
8. The District Provident Fund Officer, Patna.
9. The Accountant General, Bihar, R-Block, Bir Chand Patel Path, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms.Asha Kumari
For the Respondent/s	:	Mr.S. Raza Ahmad (AAG-5)
For A.G. Bihar	:	Mr. Jitendra Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 19-12-2019 Heard learned counsel for the parties.

2. This writ application has been filed seeking direction to the respondents to pay to the petitioner his post retiral entitlements against pension, gratuity, commuted value of pension, leave encashment, group insurance and general provident fund amounts. The petitioner has also a grievance that some arrears of salary is also due to be paid to the



petitioner.

3. When the matter was taken up on 25.11.2019, the Court was informed by the State of Bihar that the sanctioning authority had sanctioned payment of pension and gratuity and necessary communication had been made to the office of the Accountant General for authorization of pension. It was noted in the order dated 25.11.2019 that sanction for payment of encashment of unutilized earned leave was also made on 06.11.2019.

4. Today, it has been submitted by Mr. Jitendra Kumar Roy, learned counsel appearing on behalf of the Accountant General that necessary authority slip has been issued for payment of gratuity and pension as well as commuted value of pension. The grievances of the petitioner has, thus, been substantially redressed.

5. Learned counsel for the petitioner has submitted that arrears of salary is yet to be cleared by the respondents.

6. The petitioner shall be at liberty to approach the District Magistrate, Patna, giving the details of the arrears of salary, which according to him, are payable to him, by way of representation. If he does so, within two weeks from today, the Court would expect the District Magistrate, Patna to look into



the matter and decide whether the petitioner is entitled to such arrears of salary or not. If the petitioner is found entitled to such arrears or has already been found entitled to the payment against arrears of salary, the same must be paid within three months from the date of receipt/production of a copy of this order.

7. It is indicated that all the respondents in the present writ application shall ensure that there is no hindrance caused in payment of due arrears of salary, on technical grounds.

8. This application stands disposed of.

9. It will be open for the petitioner to bring to the notice of the authority any discrepancy, if the same is noticed, in determination of the amount of pensionary dues which shall appropriately be considered.

(Chakradhari Sharan Singh, J)

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