

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 24188 of 2019

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Kishore Kumar Chaudhary (Male), aged about 61 years, Son of Late Bijaykant Chaudhary, resident of Mohallah- Naya Tola, Bhikhanpur, Firangi Roy lane, P.S.- Kotwali, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Revenue, Bihar, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The District Collector/ District Magistrate, District- Gaya.
4. The Deputy Development Commissioner (D.D.C), District- Gaya.
5. The Sub- Divisional Officer, Nimchak, Bathani, District- Gaya.
6. The Deputy Collector Land Revenue, District- Gaya.
7. The Block Development Officer, Nimchak Bathani, District- Gaya.
8. The Treasury Officer, District- Gaya.
9. The Accountant General (A & E) having his Office Bir Chand Patel Marg, Patna.
10. The District Provident Fund Officer, P.S. Civil Line, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Virendra Prasad, Advocate
For the State	:	Mr. Arif Daula Siddique, Advocate
For the Accountant General	:	Mr. L. P. K. Rajgrihar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 05-12-2019

Heard learned counsel for the petitioner; learned AC to SC 25 for the State and learned counsel for the Accountant General.

2. Though the matter has been listed under the heading ‘For Orders (On Office Notes)’ for removal of defects but the Court finds that the objection is worth to be ignored.



3. Learned counsel for the petitioner submitted that the matter be disposed off with a direction to the respondent no. 3 to pay the admitted dues of the petitioner within a fixed time period as he has not received any payment despite having superannuated on 31.07.2019.

4. Learned counsel for the respondents do not object.

5. In view thereof, with consent of learned counsel for the parties, the writ petition stands disposed off with a direction to the respondent no. 3 to ensure that all admissible retiral dues of the petitioner, if already not paid, is paid to him, within two months from the date of production of a copy of this order before him. The other respondents, especially, the Accountant General shall ensure that any sanction order, which may be issued by the authorities of the State is promptly dealt with and necessary authority issued in favour of the petitioner, during the same time period. Upon the same being done, it shall be open to the petitioner to make a detailed representation with regard to any dues, which according to him, may have remained unpaid or with regard to which there may have been some calculation error. If such representation is filed within one month of receiving the payments, the respondent no. 3 shall get the matter verified from the records and pass a reasoned order within one month thereafter.



If, as per the order passed on the representation of the petitioner, anything further is payable, the same shall also be paid within the next one month.

6. The Court would also observe that if any payment carries statutory interest, the same shall also be paid to the petitioner, in accordance with law.

7. Before parting, the Court would just indicate that the District Magistrate, Gaya shall verify with regard to the petitioner being a Government servant and his entitlement to retiral benefits.

(Ahsanuddin Amanullah, J.)

P. Kumar

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