

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.221 of 2019

Dr. Shambhu Prasad, son of Thakur Prasad, resident of Village/ Mohalla-
Chawani, Mirja Tola, P.S.- Bettiah, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Health Department, Bihar, Patna.
3. The Director-in- Chief, Health Services, New Secretariat, Patna.
4. The Joint Secretary, Health Department, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma, Advocate Ms. Rashmi Jha, Advocate
For the Respondent/s	:	Mr.Mujtabul Haque -GP-12 Mr. Vasant Vikas, AC to GP 12

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-12-2019 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner has filed the present writ petition for
post retiral benefits.

It is now well settled that pension is not bounty but it
is right of the person who has superannuated from service. The
petitioner of the instant case superannuated on 30.4.2018.

Learned counsel appearing on behalf of the State,
with reference to the instruction received by him, submits that
on 23rd of January, 2019, the Health Department vide letter No.
79(3) has already sanctioned 100% pension and gratuity and
communicated the same to the Accountant General, Bihar for
further action.



In the instruction it has also been indicated that necessary sanction with regard to general provident fund has already been issued for final withdrawal of GPF amount and the Director, Provident Fund Directorate, Patna has been communicated the same on 24.8.2018. Similarly with regard to payment of earned leave it has been indicated in the instant communication that necessary action was taken by the respondents and reference has been made vide letter dated 23.1.2019 in this regard.

Considering the instructions received by the respondents which is taken on record, the present writ petition is disposed of with a direction to the concerned authority to expedite payment of post retiral benefits to the petitioner and ensure payment of pension, gratuity, leave encashment and other admissible allowance to the petitioner at the earliest preferably within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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