

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24815 of 2019

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Ramji Sharma S/o Late (Dr.) Ram Ekbal Sharma, R/o Village-Narayan Nagar,
Ballamichak, P.S.-Phulwarisharif, Dist-Patna.

... .. Petitioner/s

Versus

1. The Municipal Commissioner-cum-Chief Executive Officer Patna Municipal Corporation, Maurya Lok, Patna-1.
2. The Addl. Commissioner (Estt.), P.M.C., Maurya Lok, Patna-1.
3. The Municipal Accounts and Controller-cum-Chief Accounts Officer, P.M.C., Maurya Lok, Patna-1.
4. The Sectional Officer (Estt.), P.M.C., Maurya Lok, Patna-1.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Respondent/s : Mr. Prasoon Sinha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-12-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner has sought a direction to the respondent / Municipal Commissioner to make available to him the entire retiral dues to which he is entitled, namely, gratuity, leave-encashment, arrears of salary because of 5th and 6th Pay Revision and arrears of A.C.P. and other dues, which have been listed in paragraph 1 of this writ petition.

It has been submitted on behalf of the petitioner that he joined the Patna Municipal Corporation



in the year 1977 and for serving approximately 41 years, superannuated on 31.12.2018.

The claim of the petitioner for being promoted to the post of Assistant could not be adjudicated during his service tenure and the writ petition filed for the aforesaid purpose is still pending. No proceeding also was initiated against the petitioner during his service tenure. However, for no reason, the petitioner is not being paid his full pension and because of this, certain admitted dues of the petitioner have not been paid.

The representations which have been preferred by the petitioner before Respondent No. 1 successively have all gone on deaf ears.

Under the aforesaid circumstances, this Court directs the petitioner to make a fresh representation, charting out in detail his entitlement before Respondent No. 1 within a period of four weeks. On receipt of the aforesaid representation, the Respondent No. 1 shall have the facts verified, ascertain the entitlement of the



petitioner and shall pass a reasoned order making provisions for payment of such dues within a further period of four weeks, if his claim is found to be tenable. Any delay in disposal of the representation of the petitioner would be viewed seriously because the petitioner has retired in the year 2018.

The petitioner shall also represent about wrong fixation of his pay leading to anomaly in fixation of his pension. This aspect of the matter shall also be looked into by the Municipal Commissioner before passing the order.

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

(Ashutosh Kumar, J)

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