

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.594 of 2020

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Asif Hussain, S/o Md. Ismail, R/o-Mohalla-Aliganj, Main Road No.-11, P.O.-
Head Post Office-Gaya, P.S.-Chandauti, District -Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Pramandal, Gaya.
5. The District Treasury Officer, Gaya.
6. The District Education Officer, Gaya.
7. The District Programme Officer (Establishment), Gaya.
8. The Accountant General of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rama Kant Singh
For the Respondent/s	:	Mr.Madhaw Prasad Yadaw (Gp23)
For the A.G.	:	Mr. Satyendra Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 24-06-2020 The matter has been listed today for consideration
through Video Conferencing.

Learned counsel representing the petitioner, learned
counsel for the State and counsel for the Accountant General
are appearing and making submissions from their residence. The
Court Master and Secretary are also part of this virtual court
proceedings from their homes, all with the aid of audio visual
technology.

As per the averments made in the counter affidavits,



substantial retiral dues of the petitioner has been paid. Details of the payments are as follows:

90% Provisional Gratuity-14,08,002/- vide letter dated 25.04.2019, 90% Provisional Pension vide letter dated 25.04.2019, Group Insurance sanctioned under order dated 09.05.2019 and Rs. 2,88,593/- paid on account thereof, Leave Encashment sanctioned and paid vide order dated 09.05.2019. Against the Authority dated 12.09.2018 issued in connection with G.P.F., an amount of Rs. 2,90,772/- was paid earlier. Further, against supplementary Authority issued by the District Provident Fund Officer, dated 20.02.2020 payment has been made to the petitioner, under letter dated 12.03.2020 bearing no. 360, the District Programme Officer (Establishment) Gaya has written to the office of the Accountant General for issuing the authority for payment of final Pension and Gratuity of the petitioner.

The counsel for the Accountant General is also present.

This Court would direct that if the Authority for payment of final Pension and Gratuity has not yet been issued pursuant to the communication of the District Programme Officer (Establishment) Gaya dated 12.03.2020, then the same should be issued within a period of four (04) weeks from the date of



receipt/ production of a copy of this order and the concerned Authorities should ensure that due payment is expedited without any delay. Should the petitioner have any remaining grievances, it is needless to say it would be open to the petitioner to agitate such claim.

The counsel for the State has made a prayer for recall of the order dated 25.02.2020 whereby this Court had directed cost of Rs. 10,000/- for non-compliance of order dated 17.01.2020. No ground is made out for recall of the order.

Prayer to that extent is rejected.

(Madhuresh Prasad, J)

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