

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16975 of 2017

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Ram Gulam Son of Late Nanhak Manjhi, Resident of Village-Makdumabad,
Fida Hussain Road Police Station and District- Jehanabad, Retired From the
Post D.L.A.D. Bettiah West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, General Administration, Department, Old Secretariat, Bihar, Patna.
3. The Additional secretary, General Administration Department, Old Secretariat, Bihar, patna.
4. The Finance Commissioner, Govt. of Bihar Old Secretariat Patna.
5. The Treasury Officer, Bettiah, West Champaran.
6. The Treasury Officer, Jehanabad.
7. The Accountant General, Bihar, Birchand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar Sinha, Advocate
For the Respondent/s : Mr.Md.Nadeem Seraj -GP-5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 02-07-2020 Heard learned counsel for the petitioner and the State

Unfortunately, despite the order dated 29.5.2020, no
counter affidavit has been filed on behalf of the Accountant
General. Even the counsel for the Accountant General, Bihar is
not present in the present proceeding.

The grievance of the petitioner in the present writ
petition is two fold, firstly, that the petitioner has been paid post
retiral dues after inordinate delay of 12 years. The petitioner
superannuated on 31.1.2003 but he was paid on 2.4.2015. The



second grievance is related to payment of full pension.

Learned counsel for the petitioner submits that the petitioner has worked for 35 years, 3 months and 9 days and as such he is entitled to full pension but he has not been paid full pension.

Considering the aforesaid, the writ petition is disposed of with direction to the respondent-Additional Secretary, General Administrative Department, Old Secretariat, Bihar, Patna, respondent No. 2 to consider the grievance of the petitioner with regard to full pension as the petitioner claims that he has worked for 35 years and odd. In the event the petitioner has not completed the qualified period of service for full pension, the respondent No. 2 is required to give reasons for refusal to grant full pension. So far as the payment of interest on delay in payment of post retiral dues is concerned, the Court finds that the delay is inordinate and therefore, the petitioner would be entitled to payment of 6% interest from the date of retirement till the date of actual payment, which shall be paid to the petitioner within a maximum period of four months from the date of receipt/production of a copy of this order failing which the petitioner would be entitled to 9% additional interest on such dues.



With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

spandey/-

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