

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2259 of 2020

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Ram Prakash Mochi Son of Late Anup Mochi Resident of Bariyarpur
Paschimi, Bariarpur, P.S.- Khodawandpur, District- Begusarai.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Patna.
3. The Accountant General, Bihar, Patna.
4. The Education Officer, Begusarai.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.
For the AG : Mr. Lala Purushottam Kumar Rajgrihar

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 23-09-2020

Heard Mr. Ashok Kumar Mishra, learned counsel for the petitioner and Mr. Lala Purushottam Kumar Rajgrihar, learned counsel for the Accountant General.

2. Though notices have been served upon the office of the learned Advocate General, nobody has joined the on line Court proceeding being held through video conferencing on behalf of the State.

3. The petitioner seeks issuance of a writ in the nature of mandamus directing the respondent nos. 2 and 3 to provide him with the benefits of the revised pension by giving benefits of notional pay fixation with protection of seniority as also for payment of the amount accrued to the petitioner by virtue of his



entitlement in respect of different heads after superannuation from his service.

4. Considering the nature of claim made by the petitioner, the writ petition is disposed of with a direction to the respondent no. 2, the Principal Secretary, Finance Department, Government of Bihar, Patna that in case, a fresh representation is filed by the petitioner raising his claim before him within eight weeks from today, he shall be required to consider and dispose of the same by a reasoned and speaking order within six weeks from the date of its filing.

5. In case, the claim of the petitioner is found to be admissible, the payment of the due amount should be made within two weeks from the date of disposal of the representation.

6. In case, the claim of the petitioner is found to be not admissible, the respondent no. 2 shall be required to transmit a copy of the order to the petitioner on his address through speed-post/registered post.

7. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present



judgment:-

- (i) The judgment, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my email by the Sr. Secretary.
- (ii) The corrected copy of the judgment shall be transmitted by me from my email id to the Sr. Secretary, which shall be treated to be an authentic copy of the judgment passed by this Court in the present proceeding.
- (iii) Hard copy of the judgment duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let a copy of the judgment be sent to Mr. Ashok Kumar Mishra, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Sr. Secretary/registry for uploading of the present judgment without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA



