

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11170 of 2017

=====

Rabindra Nath Singh Son of Late Indradeo Singh, Resident of Flat No. 102,
Chetana Enclave, Block- C, P.S. Rajeev Nagar, District- Patna- 23.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Agriculture Production Commissioner, Agriculture Department
Government of Bihar, Patna.
3. The Principal Secretary-cum-Chairman Grievance Redressal Committee,
Agriculture Department, Governm
4. The Director Agriculture Department, Government of Bihar, Patna.
5. The Additional Secretary, Agriculture Department, Government of Bihar,
Patna.
6. Deputy Director Administration Agriculture Department, Government of
Bihar, Patna.
7. The District Agriculture Officer, Nalanda Bihar Sharif.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar Sinha
For the Respondent/s : Mr.Gajendra Pd. Yadav, SC-17

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 31-08-2020 The present writ petition has been filed for directing the respondents to pay the post retiral benefits such as full pension, gratuity, earned leave encashment and group insurance amount to the petitioner herein.

The brief facts of the case are that the petitioner was working in the Agriculture Department and he superannuated on 31.08.2001 while working as Senior Agricultural Extension Officer, Rajgir, District-Nalanda from the Agriculture Department, Government of Bihar.



It has been stated that the petitioner was wrongly implicated in a criminal case and an FIR was lodged against him and others wherein as far as the petitioner is concerned, the only allegation levelled against him was that he had not supervised the distribution of scholarship by the Block Welfare Officer, Nawanagar, who is alleged to have actually committed irregularities whereupon the petitioner had filed a petition before this Court for quashing of the entire criminal proceedings including the order taking cognizance dated 25.01.2005, bearing Criminal Misc. No. 43722 of 2006 and a coordinate Bench of this Court by an order dated 08.07.2013 has been pleased to quash the entire criminal proceedings. Thus, it is submitted that the petitioner is entitled to payment of the entire retiral dues without any deduction or curtailment.

Per contra, the learned counsel for the respondents, by referring to the counter affidavit filed on behalf of the respondent nos. 2 to 7 has submitted that the entire retiral dues of the petitioner has been paid which are as follows:-

1. *Group insurance-Bill dated 18.04.2002-Rs. 50,928/-*
2. *Gratuity- Bill dated 23.06.2020-Rs. 2,00,954/-*
3. *Unutilized earned leave- Bill dated 23.06.2020-Rs. 97,432/-*
4. *Balance 10% pension-Vide sanction order dated 24.06.2020*



5. *GPF-Already paid to the petitioner in the year 2003-
Rs. 63,738/-*

The learned counsel for the petitioner Shri Sunil Kumar Tiwary has though sought for some time for filing a rejoinder affidavit, however, the aforesaid facts have not been disputed.

Accordingly, I deem it fit and proper to dispose off the present writ petition, however, with a direction to the Chief Secretary, Government of Bihar, Patna to ensure payment of the balance amount of pension, outstanding to be paid to the petitioner herein apart from any other outstanding retiral dues to the petitioner herein within a period of four weeks from today, failing which the learned Chief Secretary, Government of Bihar, Patna shall not draw his salary. Liberty is also granted to the petitioner to agitate any of his subsisting grievances by filing appropriate representation before the learned Chief Secretary, Government of Bihar, Patna.

Let a copy of this order be transmitted to the Chief Secretary, Government of Bihar, Patna by the learned Registrar General of this Court.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

