

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3012 of 2019

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Nandini Mishra W/o Mahabir Prasas Mishra, Resident of Shivam -Shubham Niwas, Near NCC 6th Battalion, Behind Amit Medical Hall, A.P. Colony, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
2. The Special Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Joint Director, Social Welfare Department, Government of Bihar, Patna.
4. The Commissioner, Magadh Division, Gaya.
5. The Child Development Project Officer, Pakribarawan, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar
For the Respondent/s : Mr.Md.Raisul Haque (Sc10)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 15-06-2020 Following is the relief, which the petitioner is seeking:-

“i. To consider the case of the petitioner and calculate the total differential amount payable to the petitioner since her promotion and as per the 6th pay commission and 3rd ACP.

ii. To pay to the petitioner the differential amount due to her, since her promotion and as per the 6th pay commission and 3rd ACP, in different heads such as pension, earn leave etc.

iii. To direct the respondents to



determine the salary/pension of the petitioner as per the revised pay scale and to revise the pension as per the same.”

A counter affidavit has been filed on behalf of the respondents-State of Bihar, stating therein that differential amount of salary arising out of grant of first ACP for the period 09.08.1999 to 14.11.2000, to the tune of Rs.8568/- has been sanctioned and paid. It has also been stated that Child Development Project Officer, Pakribarawan had sanctioned for payment of Rs.5,14,644/- against a differential amount of salary upon grant of second ACP and third ACP with un-revised pay scale for the period 15.11.2000 to 31.10.2012. It has further been stated that a further sum of Rs.1,18,269/- has been sanctioned upon grant of MACP for the period 01.02.2015 to 31.01.2016. The amount of cash equivalent to earned leave, it has been stated, has also been duly revised and a sum of Rs. 1,59,870/- has been sanctioned.

There is statement made in paragraph 12 of the counter affidavit that all payments have been made.

On the point of revision of pension and differential amount arising thereof and payment of difference of gratuity amount, it has been stated that the same shall be paid once the



Accountant General, Bihar, issued necessary authority slip for payment of revised pension and gratuity.

Considering the averments made in the counter affidavit, this writ application is disposed of with a direction and observation that let the respondent-State of Bihar ensure that necessary authority slip for payment of revised gratuity and pension are issued by the office of the Accountant General within three months from the date of receipt/production of a copy of this order, if not already done.

This disposes of the application.

(Chakradhari Sharan Singh, J)

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