

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18626 of 2017

=====

Awadh Bihari Sinha Son of Krishna Kant Sahay, Resident of Village- Kochas, Police Station- Kargahar, District- Rohtas. At present residing at Street No. 3, Lal Gate, Fazalganj, Ward No. 10, Sasaram, Police Station- Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through Its Secretary, Minor Irrigation Department, Government of Bihar, Patna
2. The Chief Engineer, Minor Irrigation Department, Government of Bihar, Patna.
3. The District Magistrate, District- Kaimur at Bhabua.
4. The Executive Engineer, Minor Irrigation Division, Bhabua Kaimur, District- Kaimur.
5. The Accountant General, Office of Accountant General A and E, Bihar, Patna.
6. The District Account Officer, Rohtas, District- Rohtas at Sasaram.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ramchandra Singh
For the State	:	Mr. Sita Ram Yadav – GP16
For the Accountant General:		Mr. Binod Kumar Labh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 29-09-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner, in this writ petition, seeks direction to the respondents to pay retiral dues with interest thereon. The petitioner was appointed as Work Sarkar in the office of Executive Engineer, Minor Irrigation Sub division, Arrah on 24.10.1971. The petitioner superannuated on 31.01.2011 from



Minor Irrigation Division, Bhabua, Kaimur.

The learned counsel for the petitioner submits that petitioner applied for his retiral dues including CPF amount deducted by the department from July, 1980 but the retiral dues have been paid except CPF and ACP. The State has filed counter affidavit disclosing that petitioner was appointed as Chowkidar in work charge establishment in Minor Irrigation Division, Kaimur in the year, 1987. Later on his service was regularized. After his retirement the department wrote letter to Treasury Officer for making payment of CPF amount. The petitioner is entitled to get Rs. 29,223/- in the head of CPF and the amount was deposited in his account No. 11054560694 and no dues is lying against the department.

From the submission of both sides, it appears that petitioner claimed remaining amount of his retiral benefits on account of grant of ACP during his service tenure and CPF but the respondent No.4, the Executive Engineer, disputed the facts by filing counter affidavit and stated that entire amount of CPF and other benefits have already been paid to the petitioner.

Taking into consideration the facts aforesaid, I dispose of this writ petition with a direction to the petitioner to file representation before the Executive Engineer, respondent No.4,



and on such representation having been filed, the respondent No.4 shall dispose of the representation of the petitioner by a reasoned order within four weeks from the date of receipt of such representation.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

BKS/-

U			
---	--	--	--

