

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18346 of 2017

Shivendra Ram Son of Ram Khelawan Ram, Resident of Ward No.10,
Mohiuddinpur, P.O.- Hansa, P.S.- Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Revenue, Govt. of Bihar, Patna.
2. District Magistrate, Samastipur.
3. Block Development Officer, Tajpur, Samastipur.
4. Accountant General, Bihar, Patna.
5. Provident Fund Commissioner, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Adv.
For the Respondent/s : Mr. Raj Kishore Roy-GP 18

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 22-09-2020 Heard learned counsel for the petitioner and learned
counsel for the State through the virtual court proceeding.

In the present case it has been submitted that in the arrear of pension, the petitioner is entitled to Rs.3,42,516/-, as the petitioner has been paid Rs.1,77,069/- and still he is to be paid Rs.3,42,516/-.

It has been submitted that the petitioner has superannuated from the service in the year 2015 at the pay of Rs.24,830/- whereas his pension has been fixed @ Rs.21,870/- which is clear from Annexure-F. The respondents have wrongly calculated the arrear of pension, as they have done it in a wrong pay scale and as such the petitioner is entitled to the aforesaid amount whereas the counsel for the State submits that as per the



calculation of respondents, all amount has been paid, including the arrear which the petitioner is entitled to.

If the petitioner has any grievance, he may raise objection by filing a detailed representation before the District Magistrate, Samastipur. If such representation is filed, the District Magistrate will be obliged to look into the matter and if it is found that the pay scale of the petitioner has wrongly been fixed, in that circumstance, rest of the amount of arrear of pension would be paid to the petitioner within eight weeks from the date of filing of the representation. However if the petitioner wants the personal hearing, he will be at liberty to approach the District Magistrate, who will be obliged to give opportunity of hearing to the petitioner for the purposes of explaining the amount which he is entitled to.

With the above observation and direction, this petition is disposed of.

This order has been passed in presence of Mr. Rabindra Kumar Priyadarshi, AC to AG.

(Shivaji Pandey, J)

Mahesh/-

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