

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3476 of 2019

=====

Ashok s/o Late Ganga Vishun resident of Chaowk shikarpur Nala Par,P.S
Chowk Patna City, District -Patna

... .. Petitioner/s

Versus

1. The State of Bihar and Ors through the Principal Secretary Urban Development Department Govt Of Bihar, Patna
2. The Patna Municipal corporation through its Chief Executive Officer
3. The Additional Town commissioner (Est.) Patna Municipal corporation Patna
4. The Executive Officer Patna Municipal Corporation, Patna City circle Patna

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Amaresh Kumar
For the Respondent/s : Mr.Kinkar Kumar (Sc9)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 07-09-2020 The petitioner superannuated while working as sweeper in Ward No. 65, Patna City circle of Patna Municipal Corporation with effect from 28.02.2015. He has filed this writ application seeking direction to the respondents for payment of his post retiral dues, which he is legally entitled to, with suitable interest for unexplained delay in making payment of the said benefits.

I have heard learned counsel for the petitioner learned counsel representing the State of Bihar and Patna Municipal Corporation. A counter affidavit has been filed on behalf of the Corporation stating therein that the petitioner has been paid his



pension with effect from 01.03.2015 with issuance of order dated 29.06.2015, a copy of which has been brought on record by way of Annexure-A to the said counter affidavit. It has further been stated that payment of arrears of assured career progression with effect from 09.08.1999 to 31.03.2007 has also been ordered vide letter dated 30.07.2019. In respect of payment of group insurance amount and differential amount of salary arising out of pay revision and dearness allowance, steps are being taken and the petitioner shall be paid the said dues according to his entitlement.

Learned counsel appearing on behalf of the petitioner has argued that despite the fact that the respondents have admitted non-payment of group insurance amount and arrears of salary and arrears of dearness allowance, the payments have not been made so far.

Considering the facts as mentioned in the counter affidavit, it has been considered appropriate to dispose of the writ application with a direction that let the petitioner be paid the admitted amount of group insurance, arrears of salary and arrears of dearness allowance within three months from the date of receipt/production of a copy of this order. It is made clear that the right of the petitioner to approach the competent authority in



case any of his grievances stand and redressed is reserved. The petitioner shall be at liberty to approach the competent authority by way of representation accordingly.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

Since there is a lockdown, the Court has considered it appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.



Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

AKASH/-

U			
---	--	--	--

