# IN THE HIGH COURT OF JUDICATURE AT PATNA
**Civil Writ Jurisdiction Case No.5061 of 2020**

======================================================

Labindra Kumar Singh son of Late Basudeo Singh, resident of Village and Post - Kobil, Police Station and Block - Islampur, District- Nalanda.

... ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Social Welfare, Government of Bihar, Patna.
2. The Principal Secretary, Department of Social Welfare, Government of Bihar, New Secretariat, Bihar, Patna.
3. The Director, Integrated Child Development Scheme (I.C.D.S.), Department of Social Welfare, Government of Bihar, New Secretariat, Bihar, Patna.
4. The District Programme Officer, I.C.D.S, Jehanabad, District - Jehanabad.
5. The Child Development Project Officer, Kako, Block-Kako, District-Jehanabad.
6. The Child Development Project Officer, Kutumba, Block-Kutumba, District Aurangabad.
7. The Director Provident Fund, Provident Fund Directorate, Pant Bhawan, Bailey Road, Patna.
8. The District Magistrate, Jehanabad, District- Jehanabad.
9. The District Provident Fund Officer, Jehanabad, District- Jehanabad.
10. The District Treasury Officer, Jehanabad, District- Jehanabad.
11. The Government Service Grievance Redressal Officer, Jehanabad, District-Jehanabad.
12. The Accountant General (A and E), Patna.

... ... Respondents

======================================================

**Appearance :**

| | | |
|---|---|---|
| For the Petitioner | : | Mr. Nityanand Mishra, Advocate |
| For the Respondents | : | Mr. S.K. Mandal (SC3) |
| | | Mr. Arjun Prasad, AC to SC 3 |
| For Accountant General : | | Mrs. Nivedita Nirvikar, Advocate |

======================================================

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**
**ORAL JUDGMENT**
**Date : 25-06-2020**

Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State as well as learned counsel appearing on behalf of the Accountant

General.

The instant writ petition has been filed for the following reliefs:-

> *"(i) For issuance of appropriate writ/writs in the nature of mandamus commanding/directing the respondent authorities concerned to pay retirement benefits to the petitioner i.e. amount of Pension, Gratuity, statutory interest upon G.P.F. fro delay period, Commutation of pension and Provisional Pension along with statutory interest as well as penal interest @ 18% compound interest per annum which have not been paid to the petitioner after his retirement since 31.12.2018.*
>
> *(ii) Further for direction to the respondents specially the Accountant General, Bihar, Patna to fix and pay the pension to the petitioner month to month.*
>
> *(iii) Further to direct the respondents concerned to pay compensation for not making payment of the Pension, Gratuity, statutory interest upon G.P.F. for delay period, Commutation of Pension and Provisional pension in time due to which mental, physical and financial harassment has been caused to the petitioner.*
>
> *(iv) For any other relief/reliefs for which the petitioner is entitled to in the facts and circumstances of the case and also in accordance with law."*

Learned counsel appearing on behalf of the petitioner would submit that the petitioner retired on 31.12.2018 after attaining the age of superannuation but till date he has not been paid post retiral dues.

Considering the fact that the petitioner retired on 31.12.2018 after attaining the age of superannuation, the writ petition is disposed of with a direction to the respondents to ensure payment of post retiral dues in the nature of pension, gratuity, leave encashment, commutation of pension etc. (GPF amount with statutory interest) within a period of four months from the date of receipt/production of a copy of this order along with a detailed calculation chart failing which the petitioner shall be entitled to interest at the rate of 9% per annum from the date of filing of the writ petition i.e. 04.03.2020 till the date of actual payment.

With the aforesaid observation and direction, the present writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

BT/-

| | |
|---|---|
| **AFR/NAFR** | NAFR |
| **CAV DATE** | N.A. |
| **Uploading Date** | 26.06.2020 |
| **Transmission Date** | N.A. |