

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6062 of 2019

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Munshi Ahmad Son of Late Jaga Mian, Resident of Village - Barbana, P.O.
- Dighwara, P.S. - Dighwara, District - Saran

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. The Commissioner cum Secretary, Water Resources Department, Bihar, Patna
3. The Chief Engineer, Water Resources Department, Siwan.
4. The Executive Engineer, Saran Canal Division, Gandak Programme, Chapra.
5. The Account General, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Satyapal Singh
For the Respondent/s : Mr.Anjani Kumar (Aag4)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 15-06-2020 Nobody appears on behalf of the petitioner.

Learned counsel for the State is present.

This writ petition has been filed for release of the amount of the revised pensionary benefits of the petitioner for the period 01.04.2007 to 30.11.2011 when the petitioner superannuated from the service. The enhanced differential amount of the salary and the leave encashment for the aforesaid period has also been prayed for.



From the counter affidavit filed on behalf of the state, it appears that the petitioner was granted first A.C.P. in the scale of Rs. 2650 -4000 in the year 1999. The second A.C.P. was given to him vide order dated 09.08.2019. The scale of the petitioner was fixed and revised also in March 2019. The file pertaining to the petitioner was sent to the Accountant General for release of the amount.

The counter affidavit filed on behalf of the respondent no. 5/ the Accountant General indicates that the petitioner was issued the P.P.O. in the light of recommendation received by the Executive Engineer, Saran Canal Division, Chapra vide letter no. 397 dated 08.04.2019.

It appears that the grievance of the petitioner has been redressed. There would be no justification for keeping this petition pending. However, since counsel for the petitioner is not present today, this writ petition is disposed of with observation that in case anything else is left to be paid to the petitioner and which is his rightful



claim, he may represent before the Executive Engineer, Canal Division, Gandak Programme, Chapra within a period of six weeks, who on receipt of the same shall look into the claim of the petitioner, have the facts verified and shall pass necessary order which shall be communicated to the petitioner.

In case of filing of such application by the petitioner, the decision shall be taken within a period of eight weeks of receipt of such representation.

The writ petition stands disposed of with aforesaid observation.

(Ashutosh Kumar, J)

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