

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5030 of 2020

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Rajendra Rajak Son of Late Bhagal Baitha, Resident of Village-Kamrawan,
P.S.-Dalsingsarai, District-Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Human Resources Development (Education), Govt. of Bihar, Patna.
3. The Director, Secondary Education, Department of Human Resources Development, (Education), Govt. of Bihar, Patna.
4. The District Magistrate, Samastipur.
5. The District Education Officer, Samastipur.
6. The In-Charge Headmaster, National High School, Dalsingsarai, District-Samastipur.
7. The Accountant General of Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Abhay Shankar Singh, Advocate
For the Respondents	:	Mr. SC13
For Accountant General	:	Mr. Amar Nath Singh, Advocate

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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:-

“(A) For issuance of appropriate writ/writs directing the respondent to ensure payment of all post retirement benefits/pension of the petitioner on account of retirement on 31.1.2019, as Headmaster of National High



School, Dalsingsarai, District Samastipur.

(B) For any other relief/reliefs; including payment of cost and interest; to which the petitioner is found entitled under the facts and circumstances of the present case.”

The petitioner retired on 31.01.2019 as Headmaster of National High School, Dalsingsarai after attaining the age of superannuation.

The grievance of the petitioner in the instant case is with regard to non-finalisation of pension and non-payment of post retiral dues.

Mr. Abhay Shankar Singh, learned counsel appearing on behalf of the petitioner, submits that there is none in the School in question to take over the charge and the petitioner is subjected to harassment time and again and on account of the aforesaid, the petitioner has not been paid post retiral dues as yet.

Considering the fact that the petitioner retired on 31.01.2019, the writ petition is disposed of with a direction to the District Education Officer, Samastipur (respondent no. 5) to ensure completion of all the formalities with regard to payment of post retiral dues of the petitioner within a maximum period of sixty days from the date of receipt/production of a copy of this order. Thereafter it is expected that the Accountant General will



do the needful so that the entire post retiral dues of the petitioner are paid. The entire exercise for taking over the charge and finalization of pension shall be completed within a period of two months indicated above and the entire post retiral dues should be paid along with a detailed calculation chart to the petitioner within a further period of one month, 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	30.06.2020
Transmission Date	N.A.

