

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5930 of 2020

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Sagar Devi W/o Late Bharat Lal Mandal Resident of Village- Pauna, P.S.-
Arer, District- Madhubani

... .. Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
2. The Executive Officer, Nagar Parishad, Madhubani

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Ashutosh Kumar Jha, Advocate
For the Respondents	:	Mr.Subash Prasad Singh (GA3)
For Nagar Parishad	:	Mr. Purusottam Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 26-06-2020

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State as well as learned counsel for the respondent-Nagar Parishad.

The instant writ petition has been filed for a direction to the respondents to make payment of due amount of death-cum-retiral benefits of husband of the petitioner such as gratuity, leave encashment and fixation of family pension as per report of 6th Pay Revision Commission and also payment of arrears of salary since 01.04.1997 to 31.03.2004 as per report of 5th Pay Revision Commission; and since 01.04.2004 to 15.03.2011 as per report of 6th Pay Revision Commission including interest at the rate of 12% thereon.



The petitioner, who is widow of late Bharat Lal Mandal, is aged about 70 years. She has approached this Court for payment of revised death-cum-retiral benefits in terms of the report of 5th and 6th Pay Revision Commission.

Learned counsel for the petitioner submits that recommendation of 5th and 6th Pay Revision Commission was made since 01.04.1997 to 31.03.2004 and since 01.04.2004 to 15.03.2011 but till date in terms of the recommendation of 5th and 6th Pay Revision Commission, revised death-cum-retiral benefits has not been paid as a result of inaction on the part of the respondents and as such, the petitioner is getting less amount with regard death-cum-retiral benefits.

Considering the aforesaid, the writ petition is disposed of with a direction to the respondents to consider the grievance of the petitioner and ensure payment of revised retiral dues and family pension in terms of the recommendation of 5th and 6th Pay Revision Commission, if not already paid to the petitioner, at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order, failing which the petitioner would be entitled to interest at the rate of 9% per annum from the date of implementation of the report of 5th and 6th Pay Revision Commission, respectively.



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	29.06.2020
Transmission Date	N.A.

