

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8754 of 2019

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Balkrishna Kanhaiya Son of Late Lalan Prasad Sharma R/o Mohalla-
Lakhibag Bulla Shahid, Manpur, P.S.-Mufassil, District-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department Government of Bihar, Patna
2. The Director Secondary Education, Bihar, Patna
3. The District Magistrate Gaya
4. The District Programme Officer Gaya
5. Headmaster Lalbiga High School, Lalbiga, P.S.-Kashichak, District-Nawada
6. Accountant General A and E Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Respondent/s : Mr.Ashutosh Ranjan Pandey (AAG-15)
Mr. Prabhat Ranjan, Advocate for A.G.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 15-06-2020 Heard learned counsel for the petitioner and the

State as well as the Accountant General.

The petitioner has approached this Court for a
direction to the respondents to pay death cum retiral dues of his
late father, who died in harness on 2.9.2003.

In the instant case counsel appearing on behalf
of the Accountant General would submit that every formalities
have been completed at the level of the Accountant General and
authority slip has already been issued in favour of the petitioner.

It appears from the counter affidavit filed on



behalf of respondent No. 4, the District Programme Officer (Establishment), Nawada that the payment has not reached the petitioner because of the lapse of the Treasury Officer, Nawada. Paras 5 to 9 of the counter affidavit filed on behalf of respondent No. 4 dated 30.9.2019 is quoted below.

“5. That it is respectfully stated and submitted that a report was called from answering respondent about payment of Death-cum- retiral benefit of late Lalan Prasad Sharma by the Addl. Secretary, Education Department vide letter no. 716 dated 3.5.2019. The answering respondent call for a report from Treasury Officer, Nawada vide letter no. 1043 dated 1.6.2019. But the Treasury Officer, Nawada has not given any reply.

6. That it is respectfully stated and submitted that the answering respondent has given a reminder to the Treasury Officer, Nawada vide letter no. 1216 dated 4.7.2019.

7. That it is respectfully stated and submitted that the respondent has also call for a report from Incharge Head Mistress about current position vide letter no. 1222 dated 9.7.2019.

8. That it is respectfully stated and submitted that the answering respondent has send a request letter to the A.G.Bihar, Patna sending again PPO No. as per requirement of



Treasury Officer, Nawada vide letter no. 750 dated 24.7.2019.

9. That it is respectfully stated and submitted that in non-payment of the petitioner the Treasury Officer, Nawada is fully responsible.”

In view of the above, the writ petition is disposed of with direction to the Treasury Officer, Nawada to ensure payment of the entire dues of the petitioner within a maximum period of one month from today failing which the Treasury Officer shall be personally liable to pay 9% interest from the date of filing of the writ petition till the date of actual payment.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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