

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10090 of 2019

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Bhudeo Mishra, Son of Late Sarju Mishra, Resident of Village- Bihta, P.S.-
Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
3. The Director-in-Chief, Health Services, Bihar, Patna.
4. The Director, Health Services, Bihar, Patna.
5. The Civil Surgeon-cum-Chief Medical Officer, Patna.
6. The Treasury Officer, Patna.
7. The Sub-Treasury Officer, Danapur, Patna.
8. The Medical Officer-cum-Incharge, Referral Hospital, Bihta, Patna.
9. The Accountant General, Bihar, Patna.
10. The Branch Manager, Station Bank of India, Bihta Branch, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Madhukar Mishra
For the Respondent/s : Mr.Mujtabaul Haque (Gp12)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-06-2020 Heard learned counsel for the petitioner, State and the

Accountant General.

The petitioner retired from the post of X-ray Technician in 2002. The petitioner applied for commutation of pension, which was allowed.

Learned counsel for the petitioner submits that after 15 years of retirement, the petitioner is entitled to restoration of full pension.

Counsel appearing on behalf of respondent nos. 7 and 8 submits that they have requested the office of the Accountant



General for the needful, but no action was taken at the level of the office of the Accountant General, as a result thereof the pension of the petitioner is not restored in terms of the commutation of pension.

Considering the fact that petitioner has completed 15 years after his retirement, the writ petition is disposed of with a direction to the office of the Accountant General and State Bank of India, Bihta Branch, wherefrom the petitioner is drawing his pension, to take appropriate decision and ensure restoration of full pension on completion of 15 years of retirement.

Necessary decision in this regard may be taken by the respondents within a period of 60 days from the date of receipt/production of a copy of this order and all consequential monetary benefits must reach the petitioner within the aforesaid period, failing which the respondent Bank and the office of the Accountant General shall be liable to pay interest at the rate of 9% per annum from the date of filing of writ petition for restoration of full pension till the date of actual payment.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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