

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11109 of 2019

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Vijay Prasad Son of Mannu Prasad, Resident of Village- Gobarahiya Done,
Ward no. 12, P.O. Gobarahiya Done, P.S. Ramnagar, District- West
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Accountant General (A and E), Bihar, Patna.
3. The Commissioner Cum Secondary Education Department, Govt. of Bihar,
Patna.
4. District Education Officer, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Radhe Shyam
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-06-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The instant application has been filed by the
petitioner, raising grievance of non payment of balance amount
of Rs. 1,77,862/- towards gratuity of his late father.

The father of the petitioner died on 3.6.1999 and it is
stated in the writ petition that mother of the petitioner also died.

Learned counsel submits that Rs. 72,138/- has been
paid as gratuity of his father whereas entitlement of father of the
petitioner for gratuity was Rs. 250000/-

In this case, a counter affidavit has been filed on
behalf of respondent no.4, District Education Officer, Bettiah,



wherein a statement has been made that father of the petitioner retired on 30.4.1998 and he died on 30.6.1999. It is further stated that Rs. 2,50,000/- as arrears of gratuity was admissible but only Rs. 72,138/- has been paid. In the same affidavit, the District Programme Officer (Establishment), West Champaran has enclosed letter on 28.3.2010 addressed to the office of Accountant General for redressal of grievance of the petitioner. In this case no counter affidavit has been filed on behalf of Accountant General.

Considering the aforesaid, the writ petition is disposed of with liberty to the petitioner to approach the office of Accountant General by filing representation alongwith a copy of this order. On filing of such representation, the office of the Accountant General will take appropriate decision with regard to claim of the petitioner in accordance with law within a maximum period of three months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

Ravi/-

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