

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10479 of 2019

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Ganpati Paswan S/o Narayan Paswan Resident of Village- Karma, P.S.-
Sikandra, District- Jamui, at present residing at Gosai Tola Ward No. 21, P.O.-
Naya Bazar, P.S.- Kabya, District- Lakhisarai

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar Patna
2. The Director, Primary Education, Education Department, Govt. of Bihar,
Patna
3. The District Magistrate Lakhisarai
4. The District Education Officer Lakhisarai
5. The District Programme Officer (Establishment) Education Department,
Lakhisarai
6. The District Provident Fund Officer, Lakhisarai
7. The District Treasury Officer, Lakhisarai
8. The Accountant General, Bihar, Birchand Patel Path, Patna

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Vikram Jeet, Advocate
For the Respondents	:	Mr. Madhaw Prasad Yadav (GP23)
		Mr. Sanjay Kumar, AC to GP 23
For Accountant General :		Mr. Uday Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 16-06-2020

Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The petitioner superannuated from the post of Assistant
Teacher on 31.07.2013.

The grievance of the petitioner relates to non-payment
of post retiral dues.

A counter affidavit has been filed on behalf of the



Senior Treasury Officer, Lakhisarai in which he has categorically stated that the District Programme Officer (Establishment) was requested to issue “No Dues Certificate” for payment of pension and gratuity but no action has been taken. A counter affidavit has also been filed on behalf of respondent no. 8 Senior Account Officer in which statement has been made in paragraph 5 that the respondents are under process in issuing authority slip vide PPO No. 201611122532 PO/GO dated 15.12.2016 to the Treasury Officer for payment.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner has been paid pension but gratuity and other retiral dues has not been paid as yet.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Lakhisarai and District Treasury Officer, Lakhisarai to ensure payment of the entire pensionary benefits to the petitioner, if not already made, at the earliest preferably within a period of three months from the date of receipt/production of a copy of this order. In case there is delay in payment of pensionary benefits within the time indicated above, the entire amount will carry interest at the rate of 9% per annum from the date of filing of the writ petition i.e. 07.05.2019 till the



date of actual payment which shall be borne out from the pocket of District Programme Officer (Establishment), Lakhisarai and District Treasury Officer, Lakhisarai.

With the aforesaid observation and direction, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

BT/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.06.2020
Transmission Date	NA

