IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7578 of 2017

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Kashi Nath Bhagat S/o Late Ram Swaroop Bhagat, Resident of Mohalla-Station Road Sonaili, P.O.-Sonaili, P.S.-Kadwa, District-Katihar Retired Clerk District Establishment Section, Katihar.

... ... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar
2. The Secretary, General Administration Department, Govt. of Bihar, Patna.
3. The Secretary, Department of Finance, Govt. of Bihar, Patna.
4. The Divisional Commissioner, Purnea
5. The District Magistrate, Katihar
6. The Deputy Collector, Establishment, District- Katihar.
7. The Accountant general, Bihar, Patna.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.
For the State : Mr. P.K. Verma- AAG3
For the Accountant General: Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 19-05-2020 Nobody appears on behalf of the petitioner. Mr. P. K. Verma, AAG- 3, and Mr. Ajeet Kumar, the learned counsel for the Accountant General, are present.

The petitioner in this writ petition sought issuance of appropriate direction to the respondents authorities to fix the final pension and pay all the retiral benefits including GPF, Leave Encashment and Gratuity to the petitioner.

The respondents No. 1 to 6 and respondent No.7, the Accountant General, filed counter affidavit. Mr. P. K. Verma, the learned AAG 3, submits that from perusal of paragraph 5 of the counter affidavit, it would appear that Group Jiwan Bima amounting to Rs. 5635/- was paid to the petitioner vide memo No 257 dated 25.07.2017 (Annexure-A). Leave Encashment amount of Rs. 3, 30, 080/- for 300 days was paid to the petitioner on 24.03.2017 (Annexure- B). The provisional gratuity amounting to Rs. 2,13, 552/- was paid to the petitioner vide letter No. 259 dated 25.03.2017 and final gratuity of Rs. 2,13, 818/- was also sanctioned by Accountant General, Bihar memo dated 15.06.2017. The authority slip for issuance of pension has also been issued. Even after retirement the petitioner work on contract basis and he was paid the entire amount.

The petitioner in reply to the counter affidavit filed rejoinder stating that although he has received the entire amount but interest on the payment of arrears has not been paid.

It appears that on GPF amount interest was paid till the date of preparation of GPF statement and, therefore, the petitioner is not entitled to receive any interest on the amount of gratuity and leave encashment.

Having considered the facts, I find that petitioner has already received the entire amount of retiral benefits including the pension and the writ petition has become infructuous.

Accordingly, this writ petition is disposed of as has become infructuous.

If the petitioner is not satisfied, the petitioner may move again before this court for redressal of his grievance.

(Prabhat Kumar Jha, J)

BKS/-

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