

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11453 of 2019

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Chanda Kumari wife of Sri Mantun Choudhary, D/o Late Shivnandan Sharma
R/o Village- Thevai Karav, P.S.- Sangrampur, District- Munger and presently
resident at Village- Rishikund road ,Garhirampur, P.S.- Naya Ram Nagar,
District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Govt. of Bihar.
2. The Chief Engineer (Mechanical) Water Resources Department, Govt. of Bihar, House No. 70/84, New Punaichak, Patna- 23.
3. The Superintending Engineer (Mechanical) Irrigation Electrical-cum-Mechanical Circle, Patna.
4. The Executive Engineer, Irrigation Electrical-cum- Mechanical Circle, Patna.
5. The Treasury Officer, Munger, District- Munger.
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary
For the Respondent/s : Mr.Harish Kumar (Gp8)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-06-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as Accountant

General.

Petitioner is the daughter of late Shivnandan Sharma
who died on 1.9.2011. On 14.3.2012 family pension was
sanctioned to the mother of the petitioner. The mother of the
petitioner also died on 11.8.2012.

The petitioner has filed the present writ application



for a direction to the respondents for payment of gratuity and other dues amounting to Rs. 5,87,103/- which was sanctioned by the office of the Accountant General on 14.3.2012 with interest.

In this case a counter affidavit has been filed on behalf of respondent no.1 wherein statement has been made that father of the petitioner has borrowed loan from the Central Co-operative Bank, Jhajha and those loans are admissible towards payment. In the instant case after completing all the formalities of adjustment on receipt of no objection certificate from the Central Co-operative Bank, the Superintendent Engineer, Irrigation Electrical cum Mechanical Circle, Patna has requested the Treasury, Munger for payment of arrears of pension as well as gratuity.

On behalf of Accountant General a stand has been taken that the office of Accountant General has requested the Executive Engineer, Irrigation Electrical cum Mechanical Circle, Patna on 22.5.2019 to provide departmental sanction so that authority slip may be issued in favour of the petitioner.

Considering the totality of the facts situation discussed hereinabove, the writ petition is disposed of with a direction to the Executive Engineer concerned to take appropriate action so that the formality for issuance of authority



slip may be completed at the level of office of Accountant General and ultimately petitioner is paid all her legitimate dues in accordance with law at the earliest, preferably within a period of three months from the date of receipt/production of a copy of this order.

In the event, there is delay beyond three months, the petitioner shall be entitled to payment of interest @ 9% on her legitimate dues.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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