

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11191 of 2019

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Bechan Lal S/o Late Ramdhin Bhagat Resident of Mainpura, Post Danapur
Cant, P.S. Danapur, Dist.-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
2. The District Magistrate, Sitamarhi
3. The Deputy Collector (Establishment), Sitamarhi
4. The Sub-Divisional Officer, Sitamarhi
5. The District Treasury Officer, Sitamarhi
6. The Accountant General (A and E), Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Respondent/s : Mr. Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-06-2020 Heard learned counsel for the parties.

The instant application has been filed by the petitioner
for the following relief:-

I. For issuance of writ in the nature of mandamus directing the respondents to make payment of arrears of salary for the Month July 2011, February 2012 and May 2012 to 15.9.2012 amount to Rs. 1,64,277/-.

II. For issuance of writ directing the Respondent No.4 to make the payment of Un-utilized Leave/Earn Leave for 210 days amounting to Rs. 2,20,000/-

III. For issuance of writ directing the respondents to



calculate the annual increment of salary for the period of August, 2006 to 2015 and make payment thereof without undue delay.

IV. For issuance of writ directing the Respondents to pay the monetary benefits of ACPs to the petitioner as well as 12% interest upon all the admissible dues.

V. For any other relief/relies for which the petitioner is entitled for.

Learned counsel for the petitioner submits that petitioner retired on 29.4.2015.

It appears from the counter affidavit filed on behalf of the Executive Magistrate, Sitamarhi, Sadar that for redressal of the grievance of the petitioner raised in the writ application, two weeks time is required. In the affidavit of respondent no.6 dated 18.11.2019 stand has been taken that on receipt of service book, the office of Accountant General has issued pension and gratuity order in favour of the petitioner. He also mentioned that request was made to the SDO, Sitamarhi, Sadar with regard to revision of pension.

Considering the aforesaid, the writ petition is disposed of with a direction to the respondents to ensure payment of retiral dues including arrears of revised pension under seventh



pay commission, if not already done, within a maximum period of sixty days from the date of receipt/production of a copy of this order.

The Sub-divisional Officer, Sitamarhi, Sadar is directed to ensure payment of retiral pensionary benefits including the arrears of revised pension to the petitioner, if not already paid within a maximum period of sixty days, failing which the petitioner shall be entitled to 9% interest which will be realized from the erring officers who will be responsible in finalizing the payment of revised pension from the date of retirement of the petitioner till the date of actual payment.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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