

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12748 of 2018

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Ram Nagina Singh Son of Late Ishwarsingh, Resident of Village- Belhari, PS-
Belaganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
4. The District Panchayat Raj Officer, Jehanabad.
5. The Treasury Officer, Jehanabad.
6. The Block Development Officer, Kako, Jehanabad.
7. The Accountant General, Bihar, Patna.
8. District Magistrate, Jehanabad.

... .. Respondent/s

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Appearance

For the Petitioner : Mr. Ram Narain Singh, Arvind Kumar Sharma, Advocates
For the State : Mr. Kumar Alok, S.C.7
For the Accountant General: Mr. Satyendra Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 02-06-2020 Heard learned counsel for the petitioner, learned counsel

for the State and learned counsel for the Accountant General,

through video conferencing.

The petitioner has filed the instant application for directing the respondents to make payment of gratuity, leave encashment, GPF, GIS and other retiral dues including arrears of salary for the period December, 2009 to 31st July, 2014 along with interest and for other reliefs.

It is submitted by learned counsel for the petitioner that



the petitioner was appointed in the year 1985 and retired on 31.7.2014 as Panchayat Sevak in Block Kako in the district of Jehanabad. Not having been paid his dues, the petitioner filed various representations before the District Panchayat Officer, Jehanabad and ultimately was forced to file the instant writ application. It is submitted that he has also not been paid the retiral benefit of 1st ACP, 2nd ACP and 3rd MACP.

A counter affidavit and two supplementary counter affidavits have been filed on behalf of the Block Development Officer, Kako stating therein that the arrears of salary for the period from 9.7.2011 to 16.11.2011 amounting to Rs.1,07,373/- has been sanctioned for payment on 30.3.2018. It was further stated that group insurance to the tune of Rs. 1,63,967/-, provisional gratuity for Rs.1,85,384/-, leave encashment for Rs.1,52,150/-, arrears of salary for Rs.1,07,373/- and provisional pension have already been paid to the petitioner on 24.9.2018. The final payment under General Provident Fund to the tune of Rs. 2,88,533/- has also been authorized by the District Provident Fund Officer on 20.11.2018. Final pension and gratuity slip has already been issued from the office of the Accountant General. It is further submitted by respondent no.6 that the last pay certificate (LPC) issued vide memo dated 5.11.2016 revealed



that Rs. 3,67,400/- taken by the petitioner as advance under different scheme have to be adjusted for which appropriate steps would be taken in accordance with law.

A counter affidavit and a supplementary counter affidavit have also been filed on behalf of the Accountant General (A & E), Bihar. It has been stated therein that pursuant to the sanction of pension and DCRG by the respondent no.6, the respondent no.7 has issued authority letter for pension and DCRG to the concerned Treasury Officer, Gaya in favour of the petitioner.

It is submitted by learned counsel for the petitioner that the instant application be disposed of with liberty to the petitioner to file a representation for the remaining grievances before the District Magistrate, Jehanabad.

On the other hand, it is submitted by learned counsel for the State that the main respondent to look into the grievance of the petitioner would be the District Panchayat Raj Officer, Jehanabad.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the writ application is disposed of with liberty to the petitioner that in case any of his grievances remain, he may file a representation before the District Panchayat Raj Officer,



Jehanabad (respondent no.4) within a period of four months from today and in case such a representation is filed the respondent no.4 shall look into the same and pay the admitted remaining dues within a further period of 3 months from the date of it's filing and in case any amount is not payable, reasons thereof shall be communicated to the petitioner in writing within the aforesaid period.

The writ application stands disposed of with the aforesaid observations and directions.

(Partha Sarthy, J)

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