

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13932 of 2019

Naurangi Prasad Mandal @ Navrangi Prasad Mandal, son of Late Bajrangi Prasad Mandal resident of Mohalla- Karharia (Shastri Chowk), P.O. Banka, P.S. Banka, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Veterinary Department, Government of Bihar, Patna.
3. The Director, Veterinary Department, Government of Bihar, Patna.
4. The Regional Director, Veterinary Department, Bhagalpur Region, Bhagalpur.
5. The District Magistrate, Banka.
6. The District Animal Husbandry Officer, Banka.
7. The Sub- Divisional Animal Husbandry Officer, Banka.
8. The District Provident Fund Officer, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar

For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(The proceedings of the Court are being conducted through Video

Conferencing and the Advocates joined the proceedings through Video

Conferencing from their residence.)

Date : 17-06-2020

Heard the parties.

This writ petition has been filed by the petitioner for payment of GPF amount, grant of First and Second ACP, arrears of difference of salary on account of 6th Pay Revision as



well as grant of matric pay scale.

Petitioner was appointed as Chowkidar on 12.7.1987 and was posted in Veterinary Hospital, Panjwara under the District Veterinary Office, Bhagalpur and retired on 29.2.2016 from Dhoubni (Barahat), District, Banka and had an unblemished service record. Petitioner is getting his monthly pension and has also received Gratuity, Earned Leave, Insurance but GPF has not been paid. Further, on account of 6th Pay Revision, the arrears of difference of salary since 1.4.2007 was not paid to him. Petitioner was matriculate but the matriculation pay scale was not granted to him although similar benefit was granted to other similarly placed class IV employee, who passed the matriculation examination.

Counter affidavit has been filed on behalf of respondents in which it has been stated that Director Animal Husbandry Bihar, Patna vide memo No.6001 dated 19.12.2008 has sanctioned grant of 1st ACP on completion of 12 years of service and the payment of arrears amount of salary amounting to Rs.97,110/- from 9.8.1999 to 31.12.2008 has been made to the petitioner. It has been further stated that Director, Animal Husbandry Bihar, Patna sanctioned 2nd ACP vide memo No. 2499 dated 21.6.2019, however, petitioner is not eligible for 3rd



MACP as he has not completed 30 years of his service. It has been further stated that due to change in process of payment mode from CTMIS to CFMS, payment of arrears of 2nd ACP would not be made but same will be paid at the earliest. It has been further stated that the Finance Department has fixed the pay of petitioner vide letter No.7577 dated 23.9.2016 and all the retiral dues has been paid to the petitioner.

A separate counter affidavit has been filed by the DPFO, Bhagalpur in which it has been stated that a sum of Rs.1,52,374/- on account of Provident Fund Amount has been paid to the petitioner and nothing remains to be paid.

It has been submitted on behalf of petitioner that grievances against non-payment of GPF, and non-grant of 1st ACP and 2nd ACP has been redressed but his grievances as far as revision of pay scale pursuant to 6th Pay Revision and arrears of difference of salary amount as well as grant of matriculate pay scale still remains unredressed.

The writ petition is disposed of with a direction to the petitioner to submit a fresh representation along with a certified copy of order passed by this Court with respect to other remaining grievances before respondent no.6, the District Animal Husbandry Officer, Banka who shall consider and



decide the representation of the petitioner within three months
from the date of filing of such representation by the petitioner.

(S. Kumar, J)

Sanjay/-

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

