

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16808 of 2019**

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Mauleshwar Prasad Singh, S/o Tarkeshwar Prasad Singh, R/o-Nigam Colony,  
South Purnendu Nagar, P.S.-Phulwarisharif, Dist.-Patna.

... .. Petitioner/s

Versus

1. The Municipal Commissioner, Patna Municipal Corporation, Patna.
2. The Deputy Municipal Commissioner, P.M.C. Patna.
3. The Executive Officer, Patna City Circle, P.M.C., Patna.
4. The Account Officer, P.M.C. Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Rajesh Kumar, Advocate         |
| For the Respondent/s | : | Mr.Prasoon Sinha, Advocate        |
|                      |   | Mr. Rajesh Kumar Pandey, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

4      17-06-2020                      Heard learned counsel for the petitioner and the  
  
learned counsel for the respondent-Corporation.

Learned counsel for the petitioner submits that the  
entire dues of the petitioner on account of retiral benefits has not  
been paid in full.

Learned counsel for the respondent-Corporation  
draws the attention of this Court towards the order dated  
14.10.2019 (Annexure B), issued by the Executive Officer of  
the Corporation. He submits that the balance dues admissible to  
the petitioner to the tune of Rs.5,40,081/- has been sanctioned  
and there is a decision as per the said order dated 14.10.2019  
(Annexure B) that the same would be paid, subject to allotment



of funds.

This Court has raised specific query as to whether the respondent-Corporation can indefinitely keep the petitioner's dues pending only on the pretext of allotment of funds. The order relying upon by the learned counsel for the Corporation is more than eight months old. Counsel for the Corporation submits that he does not have up-to-date instructions whether payments have been made, or not. If the payment has not been made till date, this Court would direct that the payment under the order dated 14.10.2019 (Annexure B) be made to the petitioner positively within three months from today.

The petitioner's counsel has submitted that certain amounts are still due, for which he will be raising his grievance before the authority.

With the liberty as aforesaid, the writ petition is disposed of with the aforesaid direction.

**(Madhuresh Prasad, J)**

PNM

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