

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18709 of 2019

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Shudarshan Singh @ Sudarshan Singh Son of Late Ram Brish Yadav @ Ram
Brichh Singh Resident of Village-Gulalchak, P.O.-Sohra, P.S.-Dilhinbazar,
District-Patna

... .. Petitioner/s

Versus

1. The Principal Secretary E.E. Rural Works Department, Visvesvaraya Bhawan, Patna
2. The Engineer In Chief E.E. Rural Works Department, Visvesvaraya Bhawan, Patna
3. The Executive Engineer E.E. Rural Works Department, Works Division No. 2, Hilsa, Nalanda
4. The Accountant General (A and E) Patna, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nishi Nath Ojha
For the Respondent/s : Mr.P.N.Shahi (AAG-6)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 20-08-2020 Heard the learned counsel for the petitioner, Ld. AC to

AAG-6 Shri Mritunjay Kumar, and learned counsel for the

Accountant General Shri Kumar Priya Ranjan, Advocate.

The present writ petition has been filed for directing the respondents to make payment of the G.P.F. amount, arrears of salary after granting the benefit of 6th Pay Revision/ACP and salary for the month of February, 2008 and February, 2010 as also the remaining retiral dues.

The brief facts of the case are that the petitioner was appointed on 01.12.1972 on the post of Treasure Guard in the



Department of Irrigation, Government of Bihar, Tenughat and finally he retired on 31.05.2011 while working as Treasure Guard in the office of the Executive Engineer, Rural Works Department, Work Division No. 2, Hilsa, Nalanda. It is submitted that the petitioner has not been paid the aforesaid dues which are outstanding for payment, hence the respondents be directed to pay the same.

Per contra, the learned counsel appearing for the respondent State, by referring to the counter affidavit filed on behalf of the respondent no. 3 has submitted that initially the pension of the petitioner was fixed at a sum of Rs. 5890/- per month vide PPO dated 08.08.2011. It is submitted that the salary for the month of February, 2010 has already been paid to the petitioner on 26.03.2010 itself and as far as the salary for the month of February, 2008 is concerned, the same has been paid on 09.08.2018.

The learned counsel for the respondent State has further submitted that the arrears of salary, pursuant to grant of the benefits of 6th Pay Revision totalling to a sum of Rs. 51,061/- has been paid to the petitioner on 31.03.2012. The arrears of ACP to the tune of Rs. 39,491/- has also been paid to the petitioner on 30.05.2018 and as far as the payment of GPF



amount is concerned, the same is being processed.

The learned counsel appearing for the Accountant General, Shri Kumar Priya Ranjan has submitted that the respondent State has been requested vide letter dated 10.10.2019 to forward the updated service book/sanction order so that the revised pension/gratuity order can be issued.

Having regard to the facts and circumstances of the case, it is apparent that only the outstanding amount of G.P.F. along with statutory interest and the arrears on account of revision of pension/gratuity is required to be paid to the petitioner herein.

In such view of the matter, it is directed that the outstanding amount of GPF along with the statutory interest, up to the date of payment, as also the arrears on the head of pension/gratuity pursuant to revision of the same by taking into effect the 6th & 7th Pay Revision, as applicable, should be paid to the petitioner within eight weeks from today, if not already paid, failing which the Principal Secretary, Rural Works Department, Patna and the Executive Engineer, Rural Works Department, Rajgir (Nalanda), shall be liable to deposit a sum of Rs. One lakh each, from their own pocket, with the Chief Minister's Relief Fund, Bihar, Patna.

Let a copy of this order be transmitted to the Principal



Secretary, Visvesvaraya Bhawan, Patna, by the Registry of this
Court.

With the aforesaid observations/directions, the writ
petition stands disposed off.

(Mohit Kumar Shah, J)

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