IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18130 of 2019

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Sundrika Prasad Son of Late Avadh Bihari Ram alias Avadh Bihari Prasad Resident of Mohalla Gajadharganj, Police Station Buxar, District- Buxar.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Vishwesharaiya Bhawan, Bailey Road, Patna.
2. The Secretary, Rural Works Department, Vishwesharaiya Bhawan, Bailey Road, Patna.
3. The Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Rural Works Department, Vishwesharaiya Bhawan, Bailey Road, Patna.
4. The Superintending Engineer, Rural Works Circle, Rural Works Department, Sitamarhi.
5. The Deputy Secretary, Rural Works Department, Vishwesharaiya Bhawan, Bailey Road, Patna.
6. The Treasury Officer, Buxar.
7. The Accountant General (Accounts and Entitlement), Birchand Patel Path, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rupak Kumar

For the Respondent/s : Mr.Ajay (Ga5)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

4 29-06-2020 The present writ petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner, Sri Ajay, the learned counsel appearing for the State and Sri Chaitnya Suaroop, the learned counsel for the Accountant General.

The only subsisting grievance of the petitioner, as admitted by the learned counsel for the petitioner on the last date of hearing i.e. on 15.6.2020 was / is regarding payment of 90% gratuity amount.

The learned counsel for the State, Sri Ajay, has referred to the supplementary counter affidavit filed on behalf of the respondents-State to submit that the 90% provisional gratuity amount has already been sanctioned by the Rural Works Department, Government of Bihar, Patna, vide letter no. 2969 dated 25.6.2020 and the Accountant General, Bihar, Patna has been requested to issue the gratuity payment order, as aforesaid.

The learned counsel for the Accountant General submits that the 90% gratuity payment order shall be issued within a period of one week from today. It is directed, accordingly.

It is further directed that the actual payment of 90% gratuity amount should be made to the petitioner within a period of two weeks of issuance of gratuity order (90%) by the office of the Accountant General.

It is made clear that in case of any default in maintaining the timeline, as aforesaid, the defaulters shall not draw their salary and if it comes to the knowledge of the Court that despite the default, either the State authorities or the Accountant General, Bihar, Patna has drawn salary, this Court would initiate contempt proceedings.

The present writ petition stands disposed with the aforesaid directions.

(Mohit Kumar Shah, J)

Ajay/-

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