

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17669 of 2019

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Sundeshwar Roy, male, aged about 60 years, S/o Ramcharitra Roy R/o Ward
No. 13, P.O. and P.S.- Korbatha, Lagunia Suraj Kanth, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources
Department, Govt. of Bihar, Patna
2. The Principal Secretary Water Resources Department, Govt. of Bihar, Patna
3. The Chief Engineer Flood and Water Drainage, Water Resources
Department, Katihar
4. The Superintendent Engineer Flood Control Circle, Bhagalpur
5. The Executive Engineer Flood Control Division, Bounsi, Banka
6. The Executive Engineer Irrigation Division, Jhajha
7. The Accountant General Bihar, Patna
8. The Treasury Officer Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Ranjan, Advocate
For the State	:	Mr. Anjani Kumar, AAG-4
For the Acct. General	:	Mr. Uchit Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 03-03-2020

Heard learned counsel for the petitioner, learned
counsel for the Accountant General and learned AAG-4 for the
State.

2. Pursuant to order dated 04.02.2020 the respondents
No. 4, 5 and 6 as also the petitioner are present in Court.

3. The petitioner has moved the Court for following
reliefs:-

*“(i) To direct and command the
respondent authorities to pay pension and*



other pensionary benefits to the petitioner which is due since long, along with statutory interest from the date it became due to the petitioner till actual date of payment, along with penal interest.

(ii) To pay the entire dues amount along with interest and also cost of litigation to the petitioner.

(iii) And, for any other relief, which may deem fit and proper in the facts and circumstances of the case.”

4. The Officers have also filed their show cause. Second supplementary affidavit has already been filed on behalf of the petitioner. In the show cause filed, though the authorities have indicated the reasons why delay has been caused in settlement of the dues of the petitioner but they have tendered unconditional and unqualified apology.

5. The further stand is that all formalities with regard to payment of dues of the petitioner have been completed and some payments have also been made but the remaining dues shall be paid within two weeks in view of the new Financial Management System which has been introduced.

6. The fact of payments having been approved or being sanctioned and part of payment already being made to the petitioner, is not disputed by the petitioner.



7. The stand of the authorities is that as the bills had already been prepared earlier and only 'No Objection' was required, the same has also been sent to the Senior Treasury Officer, Samastipur under letter No. 152 dated 29.02.2020 under the signature of respondent no. 5.

8. The Court, thus, finds that all the retiral dues of the petitioner, after issuing of 'No Objection' by the authorities is now required to be credited by the respondent no. 8.

9. Accordingly, the writ petition stands disposed off with a direction to the respondent no. 8 to ensure that payment in terms of the earlier bills submitted by the petitioner relating to retiral benefits, if already not credited, be credited to his account expeditiously and latest by the end of this month.

10. Personal appearance of the officers and the petitioner stands dispensed with.

(Ahsanuddin Amanullah, J)

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