

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7267 of 2017

=====

Deonath Prasad Son of Shri Shiv Narain Choudhary, Resident of Village-
Kanchanpur, P.O. Rajasan, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Engineer-in-Chief-cum-Special Secretary Irrigation Irrigation
Department, Government of Bihar,
3. The Chief Engineer Irrigation, Irrigation Building, Doranda, Ranchi.
4. The Chief Engineer, Water Resources Department, Samastipur.
5. The Chief Engineer, Mechanical Water Resources Department, Patna.
6. The Executive Engineer, Mechanical, Irrigation Mechanical Division,
Gandak Project Balmiki Nagar,
7. The Accountant General, Bihar, Patna.
8. The District Provident Fund Officer, Vaishali, District- Vaishali.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Respondent/s : Mr. Vinay Kriti Singh-GA2

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

11 17-08-2020 Heard Mr. Krishna Murari, learned counsel for

the petitioner; Mr. Vivekanand Kunwar, learned counsel

for the Accountant General; and Mr. Dhruv Mukherjee,

learned senior counsel, assisted by Ms. Manjri Nath for

the State of Jharkhand. The State is represented by Mr.

Binay Kumar Pandey.

The petitioner had approached this Court for

direction to the respondents for payment of his retiral



benefits including pension, gratuity, group insurance, final withdrawal of G.P.F., increments of salary, difference of salary on account of pay revisions, unpaid salary etc.

It appears from the body of the petition that for about fourteen years, the petitioner did not receive his salary and was content with getting some salary sometime in his tenure.

Be that as it may, there is no dispute over the fact that the petitioner has now superannuated from service and the primal reason for which his post retiral dues were not being paid has also been overcome, namely, his service record / service book has been retrieved. Pursuant to the aforesaid retrieval of the service record/service book of the petitioner, efforts were made by the State of Bihar and the Accountant General's office to streamline the process of payment of the post retiral dues to the petitioner. Some amount also has been paid to him and for the rest of the amount,



Pension Payment Order (P.P.O.) has been issued.

Mr. Krishna Murari, however, has submitted that despite the issuance of the P.P.O, he has not been paid the amount which he ought to have been paid and even his provisional pension has been stopped.

The aforesaid facts are neither controverted nor supported by the counsel for the parties.

Under such circumstances, this Court deems it appropriate that the interest of justice would be subserved, if the petitioner is directed to make a detailed representation afresh before the respondent no. 4 within a period of eight weeks, annexing a copy of this order. On receipt of such representation, the respondent no. 4 shall look into the matter, have the facts collated and verified and in case of necessity, he would also liaison with the Accountant General's office and the State of Jharkhand and shall pass orders in accordance with law. If at all any amount is found to be payable to the petitioner, efforts shall be made without wasting any



time for making available to the petitioner the aforesaid amount. If for any reason, the amount due to the petitioner is not liable to be paid to him, he shall be intimated of the same and shall also be told the reasons for such a decision. This exercise shall be completed by respondent no. 4 within a period of eight weeks from the date of receipt of such representation about which direction has been given in the preceding paragraphs

The writ petition stands disposed of accordingly.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

