

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23950 of 2019

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Sunil Kumar, aged about 61 years, Gender-Male, Son of Late Shri Krishna,
Resident of MIG- 250, Lohia Nagar, Kankarbagh, P.S.- Kankarbagh, District-
Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Education
Department, Government of Bihar, Patna.
2. The Principal Secretary, Welfare Department, Government of Bihar, Patna.
3. The Director (Administration) Cum Additional Secretary, Education
Department, Government of Bihar, Patna.
4. The Accountant General, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Ranjeet Kumar, Advocate.
For the State : Mr.Ashutosh Ranjan Pandey, A.A.G. 15.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsels for the parties.

The following reliefs have been sought for on behalf
of the petitioner in the present writ application.

“For issuance of direction to the
respondent authorities to pay all
pending retiral dues such the Gratuity,
Leave Encashment with statutory
interest, as well as start the monthly
pension of the petitioner and also pay
the arrears of pension as the petitioner
retired on 31.05.2019 and submitted



duly filled-up Form of Pension and also submitted application for release of pension and gratuity, but till yet neither gratuity has been paid nor the pension has been started irrespective of the fact that no final order was passed in the pending departmental proceeding.”

On behalf of the State, Mr. Ashutosh Ranjan Pandey,
A.A.G. 15, made the following submissions.

“Vide Memo No. 294 dated 28.02.2020, a decision has been taken to revoke the suspension of the petitioner and convert a departmental proceeding under Rule 43 (b) of the Bihar Pension Rules. It has also been decided to grant admissible benefits, if any, from the Headquarter. It has also been decided vide Letter No. 295 dated 28.02.2020 that 90% provisional pension should be paid. As such, the Accountant General, Bihar, has been requested to issue P.P.O. in favour of the petitioner.”

Considering the submissions made on behalf of the State, the petitioner is granted liberty to make/file an appropriate representation before the concerned authority for redressal of his remaining grievance, if any. In case, any such representation is made/filed by the petitioner before the concerned authority, the concerned authority shall consider the representation of the petitioner and pass an appropriate order, in accordance with law, within a period of four months, from the date of filing/making of such representation.



With the aforesaid observation and direction, the
present writ application stands disposed of.

(Sudhir Singh, J)

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