

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18240 of 2018

=====

Aditya Prasad S/o Late Nand Kumar Prasad Father's Name and Late Girija Kumari Mother's Name, R/o Nand Nikunj, Via Shivaji Path, Noth Sri Krishnapuri, Police Station- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Dept. of Education, New Secretariat, Patna.
3. The Director, Secondary Education, Govt. of Bihar.
4. The Accountant General, Bihar, Virchandra Patel Marg, R-Block, Patna.
5. The District Treasury Officer, Patna Treasury Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Kumod Kumar Shrivastaw
For the Respondent/s : Mr.Binita Singh- Sc28

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 21-01-2021 Heard the parties.

Following reliefs have been sought for in paragraph 1(a)

(b) and (c) of the present application on behalf of the petitioner:

1(a) For a direction to respondents for issuance of authority slip in the sole name of “Aditya Prasad” the petitioner at the place of his two more brother and two sisters by changing/cancelling the authority slips which have been already issued in their names which are not required in view of the affidavits submitted, made before the Executive Magistrate, Patna stating therein that they are unable to come from their working place to receive any payment related to pre-retiral or post-retiral benefits payable to their mother.

(b) For a direction to the respondents to pay the petitioner difference of arrear of gratuity and arrear of difference of pension due to enhancement of salary as well as pension on account of granted A.C.P.s to the



petitioner related to his mother.

(c) For issuance of any other writ/writs, direction/directions, order/orders, in the ends for justice for which the petitioner is entitled.”

A counter affidavit has been filed on behalf of respondent no. 4. Following statements have been made in paragraph no. 7 of the same:

“That as per appx.5 of Bihar Pension Rule Part-II:- “the gratuity is paid to all the member of the family in equal share even though any of the members may volunteer or desire that his/her share may be paid to some other members.”

As per this rule this office has already issued five authorities (equal part of difference amount) for payment of difference of gratuity to every son and every daughter of late Girija Kumari.”

As per the statement made in the counter affidavit, the authorization has already been issued in accordance with law. Hence, no further order is required to be passed in the light of the above referred statement made by the respondent no. 4.

The present application stands disposed of.

(Sudhir Singh, J)

Pankaj/-

U			
---	--	--	--

