

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20927 of 2018

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Shyam Dev Prasad S/o Shiv Nath Mahto R/o Village- Mokamaghat, Ward
No.-27, Police Station- Mokama, District- Patna

... .. Petitioner/s

Versus

1. The Union of India through the Home Secretary, Government of India, New Delhi.
2. The Deputy Inspector General of Police, Central Reserve Police Force, Amethi, Uttar Pradesh
3. The Deputy Inspector General of Police (Welfare) Central Reserve Police Force, C.G.O. Complex, Lodi Road, New Delhi
4. The Commandant 63 BN. Central Reserve Police Force, Naveen Mandi, Faizabad, Uttar Pradesh

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
For the UOI	:	Ms. Nivedita Nirvikar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 13-01-2021

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The following reliefs as formulated by the petitioner have been claimed in the writ petition-

"i) For issuance of a proper writ/writs, order/orders, direction/ directions to the respondents to revise the pension of the petitioner in Grade Pay of Rs. 4200 and after revision of pension from due date with statutory interest;

ii) For a further direction to the respondents for making payment of arrears of A.C.P. and M.A.C.P. in the revised Grade Pay of Rs. 4200 instead of Grade Pay of Rs. 2800 on which arrears was paid;

iii) And for a further direction to the respondents for making payment of arrears of benefits of granted



through 5th and 6th Pay Revision Committee recommendations;

iv) And/ or pass any other order/orders which may deem fit and proper in the facts and circumstances of the instant case."

3. At the very outset learned counsel for the petitioner fairly accepts that payments of retiral dues under various heads have been made to the petitioner, however, his claim for payment based on 5th and 6th Pay Revision have not properly been computed and paid. A representation dated 04.01.2016 (Annexure-P/5) has been filed before the Commandant, 63 BN, Central Reserve Police Force, Naveen Mandi, Faizabad, Uttar Pradesh (Respondent No. 4) for appropriate relief, which however remains pending.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of grievance of the petitioner, the writ petition is disposed of with a direction to the Commandant, 63 BN, Central Reserve Police Force, Naveen Mandi, Faizabad, Uttar Pradesh (Respondent No. 4) to consider and dispose of the aforesaid representation (Annexure-P/5), if still pending, on its own merits in accordance with law after grant of an opportunity of hearing to the petitioner, within a period of twelve weeks from today. Any payment found due to the petitioner shall be made within a further period of eight weeks thereafter. In case the petitioner's claim is found inadmissible, whether in whole or in part, the petitioner's representation shall be disposed of by a speaking order in that regard. To enable disposal, the petitioner shall furnish his mobile number and e-mail ID to the respondent no. 4 within a week from today.

6. It is also made clear that in view of the ongoing Covid-



19 pandemic, any correspondence between the parties may be made through email and that the petitioner shall be at liberty to request for hearing through video conference.

7. The writ petition stands disposed of with the aforesaid directions.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	15.01.2021
Transmission Date	-

