

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15440 of 2021

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Utim Rai Son of Late Kailash Rai, Resident of Village- Dharmagat, P.O.-
Mujauna Via Dighwara, P.S.- Dariyapur and the District - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Old Secretariat, Govt. of Bihar, Patna.
2. The Inspector General of Police, Region Muzaffarpur, District- Muzaffarpur.
3. The Deputy Inspector General of Police, Champaran at Betiah.
4. The Superintendent of Police, Champaran at Betiah.
5. The Accountant General of Bihar, Veer Chand Patel Path, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav, Advocate
For the Respondent/s : Mr. Suman Kr. Jha, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 22-12-2021

Heard learned counsels for the parties.

2. In the instant petition, petitioner has prayed for
following reliefs:

“1. That through the present writ application, the petitioner SEEKS a direction/directions from this Hon’ble Court to all the respondent in general and the respondent No. 04 and 05 in particular TO REFIX THE PAY SCALE OF HIS SINCE 01.01.2006 AND REGULARISE THE PAYMENT OF MONTHLY PENSON WITH THE TUNE OF THE PAY REVISION along with the payments of the difference amounts against the gratuity, the regular salary and the unutilized leaves which are legally liable to be paid. Due to the NON PAYMENT of the above stated claims despite several



representations of his, the petitioner is much aggrieved, subsequently he has preferred the present application to this Hon'ble Court."

3. Though petitioner has retired on 30.06.2008, he has not agitated his right in respect of extending pay revision and consequential benefits. Delay would not be hurdle in the light of Apex Court's decision rendered in the case of ***M.R. Gupta V. Union of India & Others*** reported in ***AIR 1996 SC 669***. Therefore, 4th respondent is hereby directed to peruse the petitioner's grievance and redress the same in passing speaking order whether petitioner is entitled to revised pay and pension. Such decision shall be taken within a period of three months from the date of receipt of this order.

5. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

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CAV DATE	
Uploading Date	
Transmission Date	

