

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23442 of 2019

=====

Basudeo Paswan, Son of Late Nandi Paswan @ Nande Paswan, resident of Village- Alpura, Post office- Tajpur, Police Station- Rudrapur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
5. The District Education Officer, Samastipur.
6. The Block Education Officer, Sarairanjan, Samastipur.
7. The District Treasury Officer, Samastipur.
8. The Accountant General, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar Jha, Adv.
For the State	:	Mr.S.K. Ranjan, AC to GP 17
for Accountant General	:	Mr. Arun Kumar Arun, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 22-03-2021 Heard Mr. Ranjan Kumar Jha, learned counsel for the petitioner, Mr. S.K. Ranjan, AC to GP 17 and Mr. Arun Kumar Arun, learned counsel for the Accountant General.

A copy of supplementary counter affidavit on behalf of respondent no.8 is filed. Let the same be kept on record.

The petitioner has filed this writ petition for directing the respondent authorities to disburse the pension, arrear of salary and entire retiral dues including gratuity, General Provident Fund, leave encashment, Group Insurance etc. along



with current statutory penal interest to the petitioner.

The State has filed counter affidavit stating that the pension of the petitioner has already been sanctioned and the letter was sent to the office of the Accountant General.

Mr. Arun Kumar Arun, learned counsel for the Accountant General filed supplementary counter affidavit. In para 6 of the supplementary counter affidavit, it has been stated that all retiral benefits have been ordered to be paid to the petitioner. The authority of commutation could not be issued because the same was sanctioned in favour of the petitioner after one year of the retirement of the petitioner. Therefore, the petitioner has to file medical certificate about his fitness for issuance of authority slip for payment of commuted amount.

Since all retiral dues, save and except commuted amount, have already been ordered to be paid to the petitioner, I dispose of the writ petition with a direction to the petitioner to file medical certificate, as the amount of commutation is sanctioned after one year of retirement of the petitioner, before the competent authority, who shall send it to the Accountant General for issuance of authority slip for payment of commuted amount and authority slip shall be issued within four months from the date of receipt of this order.



With the aforesaid directions, this writ petition is
disposed of.

(Prabhat Kumar Jha, J)

Harish/-

U			
---	--	--	--

