

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 24654 of 2018

Dhurendra Sharma, S/o Late Asharphy Rai Sharma, Resident of Village-Jagdishpur, P.S.-Malicour, P.S.-Pusa, District-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
2. The State of Jharkhand.
3. The Engineer-in-Chief, Road Construction Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Road Construction Department, Gumla, State of Jharkhand.
5. The Executive Engineer, National Highway Division, Gumla
6. The Accountant General, Bihar, Patna
7. The Senior Accounts Officer, A.G. Office, Bihar, Patna
8. The District Treasury Officer, Samastipur

.. ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prem Prakash Poddar, Adv.
For the State	:	Mr. Rakesh Kumar Chandran, AC to GP-19
For the AG	:	Mr. Binod Kumar Labh, Adv.
		Mr. S.M. Ehtesham, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

6 02-08-2021 The present writ petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

This Court, by its order dated 05.07.2021,



had summed up the admitted outstanding retiral dues, which were required to be paid to the petitioner and the respondents had admitted that a sum of Rs.3,21,131/- on the head of arrears of pension and a sum of Rs 13,412/- on the head of balance amount of gratuity were remaining to be paid to the petitioner, hence, the respondents were directed to ensure payment of the same.

The learned counsel appearing for the Accountant General has submitted that the authority letter has already been issued regarding the aforesaid sums and in fact, as pointed out by the learned counsel for the Respondent-State, Sri Rakesh Kumar Chandram (AC to GP-19), the said amount has already been sent by the treasury to the Punjab National Bank so that the same can be credited in the account of the petitioner.

Now, the only issue left is the direction issued by a coordinate Bench of this Court in the present case dated 21.08.2020 whereby and whereunder



the aforesaid sums of arrears of pension and gratuity were directed to be paid along with 10% simple interest from the date the same became due till the date of payment. In this regard, the learned counsel for the Respondent-State submits that since this Court has already passed an order with regard to payment of interest on 21.08.2020, the Respondent-State shall comply with the same by making payment of the interest amount within a period of six weeks from today.

Accordingly, the present writ petition stands disposed of with a direction to the Respondent-State to calculate and make payment of the interest amount, as aforesaid, within a period of six weeks from today, failing which the Principal Secretary and the Engineer-in-Chief, Road Construction Department, Govt. of Bihar, Patna, shall not draw their salary.

(Mohit Kumar Shah, J)

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