

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6455 of 2020

- 1.1. Urmila Devi Wife of Late Sudarshan Prasad Resident of Mohalla- Rajpalli, Ward No.06, Jamtara Near Hanuman Mandir, P.O. and Police Station and District- Jamtara (Jharkhand).
- 1.2. Priyaranjan Kumar Son of Late Sudarshan Prasad Resident of Mohalla- Rajpalli, Ward No.06, Jamtara Near Hanuman Mandir, P.O. and Police Station and District- Jamtara (Jharkhand).
- 1.3. Yogita Kumari Daughter of Late Sudarshan Prasad Resident of Mohalla- Rajpalli, Ward No.06, Jamtara Near Hanuman Mandir, P.O. and Police Station and District- Jamtara (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary-Cum-the Additional Chief Secretary, Agrivulture Department, Govt. of Bihar, Patna.
3. The Director, Agriculture Department, Govt. of Bihar, Patna.
4. The Joint Director, Plant Protection, Govt. of Bihar, Patna
5. The District Magistrate, Jamui.
6. The Assistant Director, Plant Protection, Jamui.
7. The District Agriculture Officer, Agriculture Department, Bihar, Patna.
8. The Joint Director, Agriculture Department, Munger Division, Munger.
9. The Accountant General, Birchand Patel Path, Patna.
10. The Accounts Officer, Accountant General Officer, Birchand Patel Path, Patna.
11. The District Treasury Officer, Jamui.
12. The District Accounts Officer, Jamui.
13. The District Agriculture Officer, Malaypur, Jamui.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra
For the Respondent/s : Mr. Jay Prakash Sharma, AC to GP-21

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

9 20-06-2022

I.A. No. 2 of 2021.

The petitioner (widow of employee) has been
substituted during pendency of the instant proceeding which



was originally filed by the government servant (husband of the petitioner) who retired as Plant Protection Supervisor from the office of the Assistant Director Plant Protection, Jamui. The writ application contains various claims, including arrears of the payment of 7th pay revision, dearness allowance of 1 %, amounts deducted in the pay scale with effect from the month of December, 2018 to January 2019, dearness allowance for the month of January 2019 and earned leave amount of ten months.

The learned State counsel has drawn attention of the Court towards paragraph 11 on-wards of the counter affidavit filed on behalf of respondent authorities, wherein specific averment has been made that after making necessary adjustment the entire admissible retrial benefits have been paid to the petitioner. There is specific averment in paragraph 14 of the counter-affidavit that so far 3rd MACP, the same has already been allowed to the petitioner with all consequential monetary benefits in the pay scale of RS. 5200-20,200 in grade pay 2800 and subsequently it was converted into pay scale 9300-34800 with grade pay 4200 with effect from 29.03.2009.

The stand of the respondents is that dues and admissible benefits have already been paid to the petitioner, hence the writ application does not survive.



The petitioner's counsel has not made any submissions, disputing or denying averments made in the counter-affidavit. No rejoinder has also been filed.

In the aforesaid circumstances, this Court would accept the submissions of the State counsel and based on payment of dues and admissible amounts, application is disposed of with the liberty to the petitioner to examine the correctness of the payment made and raise issues, if any, before the authorities.

(Madhuresh Prasad, J)

SUMIT/-

U			
---	--	--	--

