

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5864 of 2022

=====

Shiva Nand Mishra, son of Siddh Nath Mishra, Resident of Village-Maula,
P.O. Kamla Gopalpur, Maner, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Urban Development Department, Bihar, Patna.
2. The Commissioner cum Chief Executive Officer, Mouryalok Compex, Patna Nagar Nigam Karyalaya Patna -800001.
3. The Executive Officer, Bankipur Anchal, Rajendra Nagar, Patna.
4. The Account Officer, Patna Nagar Nigam, Patna.
5. The Health Officer, Patna Nagar Nigam, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate.
For the Respondent/s	:	Mr. Rakesh Ambastha, AC to AAG- 7
For the PMC	:	Mr. Ranjit Kr. Pandey, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 24-11-2022 Heard Mr. Arvind Kumar Singh, learned counsel for the petitioner, Mr. Ranjit Kr. Pandey, learned counsel for the Patna Municipal Corporation and Mr. Rakesh Ambastha, learned AC to AAG- 7 for the State.

The petitioner, who retired from the post of Electric Labour (Vidyut Mazdoor) on 31.05.2012 from the office of Bankipur Circle, Patna municipal Corporation, approached before this Court for payment of his retiral/outstanding dues.

In compliance of the order of this court dated 20.10.2022, a counter affidavit has been filed on behalf of the Patna Municipal Corporation.



Mr. Pandey by referring to the statements made in the counter affidavit submits that after the retirement, the petitioner was already paid the amount of gratuity, Earned Leave, Dearness Allowance way back in the year 2015 itself. It is further contended that so far the Provident Fund is concerned, the same has also been paid along with the interest in the year, 2014. It is next submitted that the arrears of salary on account of 5th pay revision and difference of dearness allowance has also stood paid to the petitioner. Further the arrears of salary, dearness allowance and pension on account of 6th pay revision, arrears of pension and dearness allowance on account of 7th pay revision and arrears of ACP have also been paid to the petitioner on 12.11.2022, a calculation chart showing payment under the different head has also been brought on record by way of annexure “C” to the counter affidavit.

At this juncture, learned counsel for the petitioner submits that though, the petitioner superannuated way back in the year, 2012, however, the full and final settlement has been made after a long delay and as such he should be awarded interest over the delayed period.

Having considered the submissions made on behalf of the parties and considering the materials available on record



especially the averments made in the counter affidavit, the present writ application stands disposed of. If the petitioner has any other grievance, he would be at liberty to avail the remedy available under the law.

Accordingly, the present writ application stands disposed of.

(Harish Kumar, J)

shakir/-

U			
---	--	--	--

