

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7849 of 2022

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Ratan Kumar Jaiswal, Son of Late Hari Kishore Jaiswal, Resident of Village-
Jaganath Puri Temple, Barmasia, P.S.-Katihar, District- Katihar, retired as
Godown Pal/Clerk, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Agriculture
Department, Government of Bihar, Patna.
2. The Director, Agriculture Department, Government of Bihar, Patna.
3. The Joint Director, Agriculture Department, Government of Bihar, Patna.
4. The Deputy Director (Sasya), Purnia Region, Purnia, Bihar.
5. The Joint Director Agriculture, Koshi Division, Saharsa.
6. The District Agriculture Officer, Katihar, Bihar.
7. The Block Agriculture Officer, Katihar, Bihar.
8. The Block Agriculture Officer, Kodha, Katihar, Bihar.
9. The Sub-Divisional Agricultural Officer, Katihar, Bihar.
10. The Accountant General, Bihar, Patna.
11. The Treasury Officer, Katihar, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Niranjana Kumar, Advocate
For the Respondent/s	:	Mr. Raghwanand, GA-11
For Accountant General	:	Mrs. Ritika Rani, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 17-11-2022

Heard Mr. Niranjana Kumar, learned counsel for the
petitioner, Mr. Raghwanand, learned GA-11, for the State, and
Mrs. Ritika Rani, learned counsel for the Accountant General.

2. The present writ application has been filed seeking a
direction upon the respondents to ensure payment of all the retiral
dues, including the pension, gratuity, leave encashment, GPF and
Group Insurance along with statutory interest.



3. It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner after serving more than 36 years of unblemished service, superannuated on 31.01.2022 from the post of Godown Pal/Clerk, however, on account of non-payment of retiral/outstanding dues, he has been compelled to approach this Court by filing the present writ application.

4. In compliance of the order of this Court dated 13.10.2022, a supplementary counter affidavit has been filed on behalf of respondent nos. 1 to 9.

5. Mr. Raghwanand, learned counsel for the State, by referring to the statements made in para. nos. 4, 5 and 6 categorically submitted that the substantive amount of retiral dues have stood paid to the petitioner and nothing remains survived.

6. At this juncture, learned counsel for the petitioner submits that the aforesaid amount has been paid after a delay of more than ten months and for that the petitioner is entitled for interest over the delayed payment.

7. Having heard the learned counsel for the parties and taking into consideration the materials available on record, this writ application is disposed of with a liberty to the petitioner to file a representation before respondent no.4 for ventilating his grievance with regard to interest over the delayed payment, if any.



8. It is needless to say that if such representation is filed before the respondent no.4, he would be under obligation to pass a reasoned and speaking order, preferably within a period of six weeks form the date of filing of such representation along with a copy of this order.

9. Accordingly, the writ application stands disposed of with the aforesaid observations and directions.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.11.2022
Transmission Date	NA

