

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.172 of 2021

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Shiv Narayan Rai S/O Late Ramcharitra Rai Resident of Village- Harhangi
Tola Rajpur, Dist- Bhojpur.

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation, Budh Marg, Patna, through its Commissioner having office at Budh Marg, Patna.
2. The Municipal Commissioner Come Cheif Executive Officer, Patna Municipal Corporation, Budh Marg, Patna.
3. The Executive Officer, Nutan Rajdhani Circle, Patna Municipal Corporation, Budh Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Prasoon Sinha, Advocate Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 02-11-2022 Heard Mr. Vijay Kumar Singh, learned counsel appearing on behalf of the petitioner as well as Mr. Ranjeet Kumar Pandey, learned counsel for Patna Municipal Corporation.

The present application has been filed for a direction to the respondent Patna Municipal Corporation for payment of arrears of revisional pension as per 6th and 7th pay revision and also 20% monetary benefit after attaining the age of 80 years.

A counter affidavit has been filed on behalf of the Patna Municipal corporation and the attention has been



drawn to Paragraph -5 and 6, stating therein that with regard to 20% of revisional pension of petitioner is concerned, the same has already been paid w.e.f 01.01.2015 and the arrears for the period from 01.01.2015 to 30.04.2015 has also been paid to the petitioner. He next contended that so far the payment of arrears of difference of pension on account of 6th and 7th pay revision is concerned, the same has been calculated and sanctioned vide order as contained in letter no 385288 dated 01.11.2021 issued under signature of Executive Officer New Capital Circle, Patna Municipal Corporation. It is further contended that on account of paucity of fund in the Patna Municipal Corporation though the admitted due amount of the petitioner has been calculated and sanctioned but the same shall be paid to the petitioner after receipt of the fund from the State Government.

On the other hand, learned counsel for the petitioner submits that despite issuance of sanction order way back on 01.11.2021 till date the payment has not been made.

In view of the submissions made on behalf of the



parties and the materials available on the record, the present writ application is disposed of with a direction to the respondent nos. 2 and 3 to ensure the payment of necessary admissible dues of the petitioner within a period of eight weeks, failing which the petitioner would be entitled to statutory interest over the outstanding admissible dues and the same shall be realized from erring officers.

Accordingly, the present writ application stands disposed of with the aforesaid observation.

(Harish Kumar, J)

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