

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.167 of 2021

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Uday Shankar Paswan, S/o Late Tilakdhari Lal, Resident of Mohalla Raja Bazaar Pilar no. 52, Samanpura, P.O.- Vetnary, P.S. Shastrinagar, Dist. Patna.

... .. Petitioner/s

Versus

1. The Patna Municipal Corporation, Mourya Lok, Budha Marg, Patna through Municipal Commissioner.
2. That the Municipal Commissioner Patna Municipal Corporation, Mourya Lok Budha Marg Patna.
3. The Executive Officer Nutan Rajdhani Circle, Patna Municipal Corporation.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Respondent/s : 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 and Mr. Ranjeet Kumar Pandey, learned counsel for the Patna Municipal Corporation.

The present application is filed seeking direction to the respondent Patna Municipal Corporation for payment of all the retiral dues including the arrears of pension.

At the outset, learned counsel for the petitioner submits that from the averments made in the counter affidavit filed on behalf of the respondent nos. 1, 2 and 3, it appears that the admitted admissible outstanding dues of the petitioner have already been calculated and sanctioned vide different orders as contained in letter no. 3784 dated 27.10.2021, letter no. 4220



dated 04.12.2021 and letter no. 4223 dated 04.12.2021, but the actual payment has not been made. He next submits that the petitioner had superannuated way back in the year 2017, but till date he has not been even paid the outstanding dues and retiral benefits.

On the other hand, learned counsel for the Municipal Corporation submits that on account of paucity of fund, part payments have been made, however, he fairly submitted that the same shall be paid to the petitioner immediately after receiving allotment from the State Government under the head of the 6th Finance Commission for which the corporation has already requested to the State Government.

At this juncture, learned counsel for the petitioner submits that the counter affidavit was filed on 16.12.2021, however, even after lapse of more than ten months, the rest of the remaining amount has not been paid.

In view of the submissions made on behalf of the parties and considering the materials available on record, this Court directs the respondent nos. 2 and 3 to ensure payment of the outstanding admissible admitted dues of the petitioner within a period of eight weeks from the date of receipt/production of a copy of this order failing which the



petitioner would be entitled to statutory interest over the remaining amount and the same shall be realised from the erring official.

Accordingly, the present writ application stands disposed of.

(Harish Kumar, J)

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