

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10283 of 2022

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Nawal Kishore Ojha S/o Janadan Prasad Ojha, resident of Village and P.O.-
Sersa, P.S.-Baikunthpur, District-Gopalganj, presently residing at Puspanjali
House No. 179 A/2 Sri Krishna Nagar, Road No. 1A, P.O. Ashiyana Nagar,
P.S. Shastri Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Additional Chief Secretary, Department of Health, Govt. of Bihar, Old Secretariate, Patna.
2. The Additional Chief Secretary, Department of Health, Govt. of Bihar, Old Secretariate, Patna.
3. The Special Secretary, Department of Health, Govt. of Bihar, Patna.
4. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
5. The Regional Director, Department of Health, Magadh Pramandal, Gaya.
6. The Accountant General, Bihar, Patna.
7. The District Magistrate, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar Mishra, Adv.
For the Respondent State	:	Mr. Ajay Behari Sinha (GA 8), Sr. Adv.
	:	Mr. Neeraj Raj, (AC to GA-8), Adv.
For the Accountant General	:	Mr. Bindhyachal Rai, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 02-11-2022

Heard Mr. Raj Kumar Mishra, learned counsel for the
petitioner, Mr. Ajay Behari Sinha (GA 8) for the State and Mr.
Bindhyachal Rai, learned counsel for the Accountant General.



The present writ application has been filed for payment of remaining retiral dues of the petitioner including gratuity and 10 per cent of pension along with interest.

At the outset learned senior counsel appearing on behalf of the State submits that the sanction order for necessary payment under the head of gratuity has already been sent to the Accountant General, vide memo No. 482(3) dated 08.09.2022.

At this juncture, a counter affidavit has been filed on behalf of the respondent no.6, which is taken on record.

From the averments made in the counter affidavit on behalf of the Accountant General, Bihar, Patna, it appears that the authority slip with regard to the remaining 10 per cent of pension and full gratuity in favour of the petitioner have already been issued on 10.10.2022 and in support of his averment a copy of authority slip has been brought on record by way of Annexure-A.

From the submissions and the materials available on record, it appears that the substantive grievance of the petitioner has stood redressed. However, it is made clear that the state respondent authorities would be obliged to ensure actual payment as early as possible, preferably within a period of four weeks, failing which this court would be constrained to pass appropriate order against the erring officer.



In view of the aforesaid observations, the present application stands disposed of.

(Harish Kumar, J)

manoj/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.11.2022
Transmission Date	NA

