

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2754 of 2021

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Mundrika Prasad Singh Son of Late Parshuram Singh, resident of Mohalla -
Ram Nagar, near Sankat Mochan Mandir, P.S. and District - Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
2. The Secretary, Rural Development Department, Government of Bihar, Patna.
3. The District Magistrate, Nawadah.
4. The Deputy Development Commissioner-cum-Chief Executive Officer, District Rural Development Agency (D.R.D.A.), Nawadah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Harish Kumar, GP 8

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 28-01-2022

This matter is heard *via* video conferencing due to
circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioner has prayed for the
following relief(s):-

*“(i) A writ in the nature of
mandamus commanding and directing upon
the Respondent concerned specially
Respondent No. 4 to pay the differences of
salary accrued on account of 7th pay
revision which payable in view of
Government policy decision to the
petitioner but the same has not been paid
despite the fact that petitioner has retired
on 31.12.2019 from the post of peon under
the service of District Rural Development
Agency (D.R.D.A.) Nawadah.*



(ii) To pay the differences of contributory provident fund amount (hereinafter referred to C.P.F. only) in view of Government policy decision to pay the C.P.F. amount calculating the interest rate applicable upon G.P.F. amount of Government employee but bank rate interest payable upon Saving Bank Account has been paid to the petitioner causing much monetary loss.

(iii) To pay the arrears of salary accrued on account of 5th Pay Revision w.e.f. 1.1.1996 as well as due increments since year 2017 as also due D.A. amount since 2018 which has not been paid to the petitioner without any valid reason.

(iv) Any other order/orders, direction/directions, writ/writs for granting any other relief/reliefs for which the petitioner is found entitled to in the facts and circumstances of the case.”

In support of the aforesaid relief petitioner's submitted representation on 01.10.2020 (Annexure-4). The concerned respondent has not taken any decision on petitioner's representation.

The petitioner's grievance is whether he is entitled to difference of salary pursuant to the seventh pay revision or not and further the difference of retirement benefits like Contributory Provident Fund (CPF) and other benefits including increments for the year 2017 and DA amount from 2018 onwards or not? In this regard, speaking order shall be passed and communicated to the petitioner. If the petitioner is otherwise eligible for the aforesaid



benefits the same shall be extended while calculating and disbursing the same within a period of two months from the date of receipt of this order failing which the petitioner is entitled to litigation cost and it is quantified at Rs. 10,000/-. Cost shall be paid to the petitioner. If the aforesaid amount is already settled next question is he is entitled to interest. The interest shall be paid @ 8% per annum from the date of retirement in the light of Hon’ble Apex Court decision in the case of **Vijay L. Mehrota vs. State of Uttar Pradesh and Ors.** reported in **(2001) 9 SCC 687**.

With the aforesaid observations, the present writ petitioner stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

