

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14091 of 2022

Umesh Prasad Chaurasiya, son of Late Sahadev Prasad Chaurasiya, Resident of Village- Bharpura, P.O. and P.S.- Sonpur in the District of Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Old Secretariat, Patna.
2. The District Magistrate, Saran.
3. The District Panchayati Raj Officer, Saran at Chapra.
4. The Block Development Officer at Garkha, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shiv Shankar Prasad Yadav, Advocate
For the Respondent/s : Mr. Prabhat Ranjan, AC to GP- 6

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 02-11-2022

Heard Mr. Shiv Shankar Prasad Yadav, learned counsel appearing on behalf of the petitioner and Mr. Prabhat Ranjan, learned AC to GP-6.

2. The present writ application has been filed for the following reliefs:

“(i) The refixation of the amount of pension and gratuity in the light of last pay Rs.50,500 from the date of retirement i.e. 30.04.2021.

(ii) Rs.22,200.00/- as a difference amount for 300 days which are as earned leaves.

(iii) Rs.3,15,575.00/- as an arrears of the amount of salary for duty periods from October 2019 to February, 2020.

(iv) Rs.2,69,107.00/- as arrears of salary.



(v) Rs.17,138.00/- as 4th and 5th installments of the 6th pay revision amount.

(vi) Rs.2,658.00/- as arrears of difference amount from February, 2009 to June 2009 as per the 6th pay revision.

(vii) Rs.58,642.00/- as the arrears of difference amount from July 2019 to April 2021.

Grand Total-6,85,520.00/-”

3. It is submitted on behalf of the learned counsel for the petitioner that the petitioner superannuated from the post of Panchayat Secretary from the office of Block Development Officer, Garkha, district Saran on 30.04.2021 and despite lapse of more than 1½ years, till date the retiral benefits and other outstanding dues, as mentioned in para 1 of the petition, have not been paid. However, he submits that for redressal of the grievance, the petitioner filed representation before all the respondents, including respondent no.3 and if the writ application be disposed of directing the respondent authorities to consider his claim and pass reasoned and speaking order, the petitioner would be satisfied.

4. On the other hand, learned counsel for the State submits that the respondent authorities are under obligation to consider the claim of the petitioner and ensure payment of necessary admissible dues in accordance with law.



5. In view of the aforesaid submissions made on behalf of the parties, the present writ application is disposed of with a direction to the petitioner to submit a detailed representation before the respondent no.3, who will pass reasoned and speaking order within a period of six weeks from the date of filing of representation along with a copy of this order.

6. It is made clear that if the petitioner would be found entitled for the benefits, as prayed for in the writ application, necessary order for payment of all consequential benefits must be taken within a further period of four weeks.

7. The present writ application stands disposed of with the aforesaid liberty and observation.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.11.2022
Transmission Date	NA

