

Civil Writ Jurisdiction Case No.17065 of 2014

- Petitioner/s

1. The State of Bihar
2. The Collector, Samastipur
3. Incharge, Deputy Collector, District General Section, Samastipur
4. The Executive Officer, Nagar Panchayat office Rosera, Samastipur
5. The Rosera Nagar Panchayat through its Executive Officer Nagar Panchayat Office Rosera Samastipur

... .. Respondent/s

For the Petitioner/s : Mr. Shambhu Nath Jha, Advocate
For the State : Mr. Pramod Kr. Singh, AC to SC-16
For the Respondents No. 4 & 5 : Mr. Abhay Shankar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

“1.(i) For issuance of an appropriate writ/writs, Rule/Rules, direction/directions in the nature of Mandamus commanding the respondents concerned for payment of monthly pension to the petitioners after adding 151% of dearness allowances in the basic pension with effect from July 2012



as per the resolution issued by the Finance Department, Govt. of Bihar vide Memo No. 1167 dt. 05.2.2013 and all consequential benefit as per the aforesaid resolution, as the dearness allowances of both the petitioners have been reduced only on the basis of proposal dt. 13.8.2013 of the meeting of standing committee of Rosera Nagar Panchayat and as per noting of the concerned authorities dt. 13.6.2013 and 18.6.2013, though the copy of the impugned order has not been communicated to the petitioners.

(ii) For issuance of a direction to the respondents concerned for payment of the revised pension after adding 166% of dearness allowances with effect from 1st January, 2013 and for payment of revised pension after adding 183% of dearness allowances in the monthly pension with effect from 1st July 2013 as per memo no. 5359 dt. 27.5.2013 issued by the Finance Department.

(iii) For issuance of a direction to the concern respondents for



payment of monthly pension after adding 200% of dearness allowances to the petitioners with effect from 01.1.2014 as per memo no. 4569 dt. 28.5.2014 issued by the Finance Department Bihar, Patna.

(iv) For payment of differences of pension after adding the dearness allowances as stated above from due date.”

2. The learned counsel appearing for the Nagar Parishad, Rosera, District-Samastipur submits that now the revised D.A. is being paid to all the retired pensioners of the Rosera Nagar Panchayat.

3. The learned counsel for the petitioners submits that he has not received any instructions from the petitioners, however, if the learned counsel for the Rosera Nagar Panchayat is submitting that revised D.A. is being paid to the retired pensioners, as per 6th Pay Revision Committee report, the present writ petition may be disposed off, however, with liberty to the petitioners to agitate their subsisting grievances, if



any, in accordance with law. Liberty so sought is granted.

4. The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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