

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10120 of 2021

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Kailash Prasad Singh son of Late Harinarayan Prasad Resident of village -
Dharmpur, P.O. - Utarthu, Police Station- Ashthawan, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The Secretary, Road Construction Department, Govt. of Bihar, Patna.
3. The Engineer-in Chief - cum - Special Secretary, Road Construction Department, Bihar, Patna.
4. The Chief Engineer, Road Construction Department.
5. The Executive Engineer, Road Division, Road Construction Department, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
For the Respondent/s : Mr. Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 09-01-2023 Heard learned counsel for the petitioner and counsel
for the State.

Learned counsel for the petitioner has filed the present writ petition seeking the relief(s) of issuing the writ(s), order(s) to the respondent authorities to grant enhanced pensionary benefits as well as the arrears of salary on account of fixation of pay in pay scale 785-1210 w.e.f. 01.04.1981, 1500-2750 w.e.f. 01.01.1986 and 5000-8000 w.e.f. 01.01.1996 along with arrears of salary from 01.10.1995 to 31.07.1998 as per letter dated 23.12.1998 & 12.04.1999.

Counsel for the petitioner submits that the petitioner

was appointed on the post of Junior Engineer in the year 1973 and superannuated on 28.02.2005.

Counsel submits that the payment of all pensionary benefits and arrears of salary have not been made to the petitioner. Counsel for the respondent has categorically mentioned in his counter affidavit that all the retiral benefits have been paid to the petitioner. Pension of the petitioner has also been fixed on the enhanced and applicable pay-scale to him. But arrears of pay fixation made under Annexure - B, D and E is yet to be paid and for payment of same, steps are being taken.

Counsel for the State further submits that vide Annexure - F and G, certain documents are required.

Counsel for the petitioner is directed to submit the same before the Office of the Executive Engineer, Road Division, Road Construction Department, Nawada (respondent no. 5) who shall assure payment within 4 months upon date after filing of the said documents in his Office.

With the aforesaid direction, the writ application stands disposed off.

(Dr. Anshuman, J.)

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