

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21767 of 2013

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Rajendra Kumar Singh S/O Sri Ram Prasad Singh Resident Of Patel Colony,
Ram Jaipal Road, New Bailey Road, P.S. Rupaspur, District Patna

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Water Resources Department, Bihar
3. The Chief Engineer, Water Resources Department, Siwan
4. The Superintendent Engineer, Saran Canal Circle, Siwan
5. The Executive Engineer, Saran Canal Division, Gandak Project, Bhore, Gopalganj
6. The Accountant General, Null Veerchand Patel Path, Bihar, Patna
7. The Accounts Officer, Accountant General Officer, Bihar, Patna
8. The Treasury Officer, Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Singh, Adv.
For the Respondent/s	:	Mr. Ajay Bihari Sinha, GA 8
		Ms. Kalpana, Ac to GA 8

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 07-02-2023 1. The petitioner by way of this writ petition has
prayed as under:

*“1. That this writ application is
for issuance of appropriate
writs/orders/direction in the nature of writ of
mandamus directing respondent no. 8, the
Treasury Officer, Siwan to make payment of
arrears salary for the period 1.1.2006 to
11.6.2007 amounting to Rs. 3,32,137
(Rupees three lakhs, thirty two thousand and*



one hundred and thirty seven) with interests on account of 6th pay revision, while the petitioner was posted as Assistant Engineer at Chaliama (Chaibasa) Jharkhand Irrigation Division before his cadre division and was transferred and posted as Assistant Engineer, Bhore, Saran Canal Division on 12.6.2007 and retired from Service on 31.12.2011 from the said place. The Office of the Accountant General, Bihar, Patna under the signature of Accounts officer, Bihar, Patna respondent no. 7 vide memo no. G.E.05-R-II-18-540 dated 10.9.2012 directed the Treasury officer, Siwan, respondent no. 8 to make payment of Rs. 3,32,137/- in view of the sanctioned letter issued vide G.E.-06-R-II-18 dated 23.7.2012 issued from the office of Accountant General, Bihar, Patna but inspite of repeated reminders by the petitioner to the Treasury officer, Siwan, respondent no. 8, this payment has not been made so far.”

2. A counter affidavit has been filed and has stated that the relief claim has been granted. It would be apposite to quote Para-5 & 6 of the counter affidavit:

“5. That the petitioner has filed the writ



petition for payment of arrears salary of 6th pay revision scale amounting to Rs. 3,32,137.00 for the period of 01.01.2006 to 11.06.2007.

6. That authority letter is issued to Treasury Officer, Siwan and copy of Sri Rajendra Kumar Singh [Petitioner] by office of the Accountant General [A&E], Bihar, Patna vide letter no. GE-05-R-II-18-540 dated 10.09.2021 and pre audit bill is issued vide letter no. 349 dated 23.07.2012 amounting Rs. 3,32,137.00 .

The petitioner requested with above mentioned amount with above mentioned amount with enclosing above mentioned letter of payment.

It is stated that after the request of the petitioner on the basis of pre audit bill, bill amounting Rs. 3,32,137.00 has been submitted in treasury vide bill no. 80P/12-13 dated 05.09.2012. That bill was pending in Treasury Office, Siwan.

In regard to above writ respondent no. 5 Executive Engineer, Sara Canal Division, Bhore requested Treasury Officer to do necessary action for payment vide letter no. 1216 dated 30.11.2013.



Respondent no. 8 Treasury Office, siwan has sent that bill for revalidating on 10.01.2014 and same day that bill is passed amounting Rs. 3,32,137.00 and payment to petitioner amounting Rs. 3,32, 137.00 has been made.”

3. Keeping in view above, the claims of the petitioner stands redressed.

4. The writ petition has thus, become infructuous and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 17

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