

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7103 of 2023

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Vishwanath Tiwary Son of Late Rampati Tiwary Resident of Village-
Ghorhat, Police Station- Madanpur in the district of Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Panchayat Raj
Department, Government of Bihar, Patna
2. The Principal Secretary, Panchayat Raj Department, Government of Bihar,
Patna
3. The Director, Panchayat Raj Department, Government of Bihar, Patna
4. The District Magistrate-cum-Collector, Aurangabad
5. The District Panchayat Raj Officer, Aurangabad
6. The District Provident Fund Officer, Aurangabad
7. The Block Development Officer, Deo, Aurangabad
8. The Accountant General, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate.
For the Respondent/s : Mr.Ajay, GA-5.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 18-08-2023

Heard Mr. Sunil Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Ajay, learned GA-5 for the

State.

2. Learned counsel appearing on behalf of the

petitioner submitted that in the year 2013 the petitioner was
posted as Panchayat Secretary in Gram Panchayat, West Ketaki
in the district of Aurangabad. During his tenure, as per the
direction of the higher authority, the petitioner distributed
pension under Social Security Scheme among the pensioners in
West Ketaki Gram Panchayat between the year 2013 till the
month of February, 2016 and thereafter he submitted details of



distribution bills before the Block Development Officer, Deo, Aurangabad.

3. Petitioner is aggrieved by the action of the Block Development Officer, Deo who has not adjusted the distribution bills / amount submitted by the petitioner in the register / records maintained at the block level. Petitioner had admittedly informed the District Panchayat Raj Officer, Aurangabad vide letter dated 07.10.2022 and in this regard the District Panchayat Raj Officer, Aurangabad had also reminded the Block Development Officer, Deo vide letter dated 17.10.2022 for adjustment of the bill submitted by the petitioner on account of distribution of pension under Social Security Scheme. Petitioner has further submitted that due to inaction of the Block Development Officer, Deo in not adjusting the amount and he has deliberately delayed to issue “No Dues Certificate” to the petitioner so that his pension and other retiral dues can be disbursed. Petitioner is mainly aggrieved by the *malafide* action of the Block Development Officer, Deo. In above background, learned counsel seeks to file a detailed representation before the District Magistrate, Aurangabad for redressal of his grievance.

4. Considering the specific submission made on behalf of the petitioner that the petitioner desires to file a detailed representation before the District Magistrate, Aurangabad, the District Magistrate Aurangabad is directed to



call for the service records relating to the petitioner and also directed to summon the Block Development Officer, Deo to produce all the documents relating to the distribution of pension under Social Security Scheme. In case, the District Magistrate finds that the Block Development Officer, Deo in an illegal manner has not adjusted the amount in spite of letter dated 17.10.2022 issued by the District Panchayat Raj Officer, Aurangabad to the Block Development Officer, Deo, disciplinary action is required to be taken against the Block Development Officer, Deo in accordance with law. The District Magistrate must ensure to make payment of all the retiral dues including fixation of pension by directing the sanctioning authority. The sanctioning authority is directed to send sanction letter for fixation of pension of the petitioner to the Accountant General, Bihar forthwith. The representation is directed to be disposed of in accordance with law within a period of six weeks from the date of its filing.

5. The writ application, accordingly, stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	22.08.2023
Transmission Date	N.A.

