

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7381 of 2023

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Ramjeet Ram, Son of Late Dev Narayan Ram, Resident of Village-
Chandmari, Post-Motihari, P.S.-Town Motihari, District-East Champaran,
Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Works Department,
Government of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna.
2. The Secretary, Rural Works Department, Vishweshwaraiya Bhawan,
Government of Bihar, Bailey Road, Patna.
3. The Deputy Secretary, Rural Works Department, Government of Bihar,
Vishweshwaraiya Bhawan, Bailey Road, Patna.
4. The Executive Engineer, Rural Works Department, Works Division, Simari
Bakhtiyarpur, District-Saharsa.
5. The Accountant General, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Brisketu Sharan Pandey, Advocate.
For the State	:	Mr.Ajay, GA-5.
For the A.G. Bihar	:	Mr. Arun Kumar Arun, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 25-09-2023

Heard Mr. Brisketu Sharan Pandey, learned counsel
appearing on behalf of the petitioner; Mr. Ajay, learned GA-5
for the State and Mr. Arun Kumar Arun, learned counsel for the
Accountant General, Bihar.

2. Learned counsel appearing on behalf of the
petitioner submits that in spite of communication having been
made by the Accountant General for fixation of final pension of
the petitioner, petitioner is getting 90% pension. Learned
counsel submits that petitioner has not been paid 10 % pension,



10% gratuity and unutilized earned leave for 300 days. In want of any justification for withholding 10% pension, the petitioner submits that the Executive Engineer, Rural Works Department, Works Division, Simari Bakhtiyarpur, Saharsa – respondent no.4 is responsible.

3. Learned counsel appearing on behalf of the State submits that entire dues as claimed in the present writ petition has been sanctioned and advice has been sent to the Accountant General, Bihar vide Letter Nos. 5156 and 5157 dated 12.09.2023 in compliance of the Letter No. 291 dated 14.06.2023 issued by the Accountant General, Bihar.

4. Considering the aforesaid submission made on behalf of the parties as well as in view of the communication which has been made by the Accountant General vide Letter No. 291 dated 14.06.2023, The Secretary, Rural Works Department, Government of Bihar, Patna – respondent no.2 is directed to call for the service particulars relating to the petitioner and ensure that in case 100% pension has not been paid to the petitioner including leave encashment, in that case, he is directed to ensure to make payment of remaining dues under different heads of retiral benefits as well as final pension to the petitioner in accordance with law within a period of four weeks, if already



not paid to the petitioner.

5. The Accountant General, Bihar is directed to forthwith take steps to issue authority and communicate the same to the Treasury Officer, East Champaran, Motihari who will ensure to credit the amount in the pensionary bank account of the petitioner.

6. The writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	26.09.2023
Transmission Date	N.A.

