

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10187 of 2020

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Satyabrat Tripathi S/o Late Uma Nand Tripathi, R/o Mohalla Maurya Vihar Colony, Road no. IC P.S. Phulwari Sharif, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Food and Consumer Protection Department, Bihar at Patna.
2. The District Magistrate, Katihar.
3. The District Supply Officer, Katihar.
4. The District Provident Fund Officer, Katihar.
5. The Sub Divisional Officer, Manihari, Katihar.
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

7 05-12-2023 Heard Mr. Shailendra Kumar Singh, learned counsel appearing on behalf of the petitioner and the learned counsel for the State as well as Accountant General, Bihar, Patna.

2. The petitioner after having served more than thirty five years, superannuated from the post of Block Supply Officer, Manihari, Katihar on 30.11.2019, filed the present writ petition, seeking a direction upon the respondent authorities to ensure, all his retiral benefits, alongwith the arrears of salary for different period despite the fact that sanction letters has been issued vide memo no. 217 dated 17.02.2020 in favour of the petitioner by S.D.O., Lakhisarai.



3. He further prays for grant of arrears of salary on account of revision of pay scale and the benefit accrued on account of second and third ACP.

4. A counter affidavit has been filed on behalf of respondent no. 6. From perusal thereof, it appears that certain substantive amount towards the retiral benefit has already been accorded to the petitioner, however, Mr. Singh, learned counsel for the petitioner at the same time, submits that the fixation of his pension and retiral benefits have been accorded to him in the old pay scale.

5. That apart, he has also not been allowed the arrears of salary for the certain period and the arrears on account of benefit, accrued under Assured Career Progression scheme.

6. Considering the materials available on record, this Court deems it fit and proper to dispose of the writ petition, with a liberty to the petitioner to file an appropriate representation before the respondent no. 2, preferably within a period of four weeks from today, in case such a representation is filed, the respondent no. 2 shall consider his claim and dispose of the representation preferably within a further period of eight weeks.

7. It is needless to observe that all the admissible due amount and the arrears of salary shall be paid to him within the



aforenoted period also. In case any of the claim of the petitioner shall be denied, it will certainly be followed by speaking order.

8. Accordingly the present writ petition stands disposed off.

(Harish Kumar, J)

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