IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15007 of 2021

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Umakant Yadav Son of Shree Balai Ram Yadav Resident of Village - Manjhanpur, P.S. - Mariahua, District- Jaunpur, retired A.D.J. 6th, Madhubani.

... ... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary General Administrative Department, Government of Bihar, Patna.
2. The Secretary, Law Department, Government of Bihar, Patna.
3. The Accountant General, Government of Bihar, Patna.
4. The Registrar General, Hon'ble Patna High Court, Patna.
5. The Account Officer, Office of the Accountant General, Bihar, Patna.
6. The Secretary Finance Department, Government of Bihar, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Subhash Kumar Jha, Adv.
For the High Court	:	Mr. Piyush Lall, Adv.
For the State	:	Ms. Babita Kumari
For the AG	:	Ms. Kanchan Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 21-02-2023

Heard Mr. Subhash Kumar Jha, learned advocate for the petitioner and Mr. Piyush Lall for the High Court. Ms. Babita Kumari has represented the State of Bihar whereas Ms. Kanchan Kumari has appeared for the Accountant General.

The petitioner, a retired Judicial Officer, has approached this Court seeking a direction to the respondents to verify his earned leave balance as on date of his retirement on 30.09.2019 and pay him the monetary benefit accruing out of such earned leave account.

Initially, a lesser number of leave days was calculated but finally, on a fresh calculation by the Accountant General's Office and consequent sanction by the High Court, the petitioner was found to be entitled to 292 days of leave for its encashment. This calculation is till the date of his retirement on 30.09.2019.

Mr. Jha, learned counsel for the petitioner however presses the rejoinder affidavit wherein he has claimed that according to his calculation, there are 334 days of leave account in his credit till his date of superannuation but, since only 300 days are encashable, he should be paid for 300 days.

This statement cannot be accepted as true in view of the Accountant General's Office having verified and the High Court having sanctioned for payment of 292 days of leave in the credit of the petitioner during his service tenure.

There should be no grievance of the petitioner now.

The petition stands dismissed.

(Ashutosh Kumar, J)

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.02.2023
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