

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15011 of 2021

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Dr. Md. Zaheer Son of Shekh Mohammad Sayeed Resident of Station Road,
Near Bazar Samiti, Banjariya, P.S.- Town Motihari, District- East Champaran.
... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Health Department,
Government of Bihar, Patna.
2. The Joint Secretary, Health Department, Government of Bihar, Patna.
3. The District Magistrate cum President, District Health Committee, West
Champaran at Bettiah, District- West Champaran.
4. The Civil Surgeon cum Chief Medical Officer, West Champaran at Bettiah.
... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the Respondent/s : Mr. Pankaj Kumar (SC12)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Counsel for the State submits that during pendency of writ application, counter affidavit has been served, by which, it transpires that petitioner has filed a CWJC No.6450 of 2020 challenging the Memo No.261 (9) dated 09.02.2012 which is disposed off with liberty to question the validity of penalty order in filing fresh petition since cause of action accrued during pendency of the said petition.

Counsel for the State has categorically stated in paragraph no.16 of the counter affidavit that G.P.F. amounting to Rs.15,83,532/- has been paid in the bank account of writ petitioner. It has also been submitted in paragraph no.17 of

counter affidavit that payment of group insurance amounting to Rs.2,15,496 has been paid in the account of petitioner. It has been stated that documents for the payment of pension, gratuity and commutation of pension had already sent before the Joint Secretary, Health Department, Patna with a request to make a recommendation and forward the same before the Accountant General, Patna for issuing the authority slip.

In this view of the matter, this writ application is disposed of directing the respondents to assure the payment of pension, gratuity and commutation of pension in favour of petitioner, if admissible within 6 weeks from today, if not, a reasoned order be passed and communication be made to the petitioner.

Liberty is also granted to the petitioner to raise fresh representation also, if found that anything not paid relating to retiral benefit.

With this observation, the writ application is hereby disposed off.

(Dr. Anshuman, J.)

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