

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16598 of 2021

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Jyoti Prakash Son of Late Kailash Pati Sinha Resident of Mohalla - Sri Krishna Puri, Ward No. 4, Dumra (Sitamarhi Court), District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police Bihar, Patna.
2. The Additional (Awar) Inspector General of Police, Bihar, Patna.
3. The Inspector General of Police, Champaran Range, Bettiah.
4. The Accountant General, Birchandra Patel Path, Bihar, Patna.
5. The Superintendent of Police, East Champaran, Motihari.
6. The Superintendent of Police, Nalanda, Bihar Sharif.
7. The Incharge Officer, Finance (PCFC) Department, the Government of Bihar, Patna.
8. The District Accounts Officer, A.S.P., East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jiwan Prakash Sinha, Adv.
For the Respondent/s	:	Mr. P.K. Verma, (Aag3)
For the A.G.	:	Mr. Chaitanya Suaroop, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the A.G.

The present application has been filed by the petitioner with a view to discharge the statutory obligation to compute and make payment of his entire retiral/ post retiral dues with arrear after having revised and fixed his salary in the pay scale in the light of the 7th Pay Revision Commission Report.

Counsel for the petitioner submits that the petitioner was appointed on the post of Sub Inspector of Police on

15.06.1984. He was superannuated from his service on 30.06.2021 as Deputy Superintendent of Police (D.S.P.) from Areraj Sub Division within the District of East Champaran, Motihari. The petitioner has only grievance by virtue of the present writ petition that computation of payment of his entire retiral/ post retiral dues should be made after having revised and fixed salary in the pay scale in accordance with the 7th Pay Revision Commission Report.

Counter affidavit has been filed in this case and it has been cleared that due to own liability of the service book, the fixation of petitioner's retiral benefits could not be made.

Counsel for the petitioner submits that his application may be disposed off directing the concerned respondent no. 3 (Inspector General of Police, Champaran Range, Bettiah) to pass a reasoned order for granting relief(s) as mentioned in the writ petition. State is also agreed for the same.

In this view of the matter, let petitioner is directed to file representation before the respondent no. 3 (Inspector General of Police, Champaran Range, Bettiah) within 4 weeks from today and the said respondent shall pass a reasoned order with regard to the petitioner about his entitlement as claimed in the writ petition within 6 weeks, thereafter. If petitioner is found

payable, his entire payable amount should be clarified in the said order.

In case petitioner is not found entitled for any payment, a reasoned order must be passed and petitioner shall be at liberty to challenge the same before the appropriate forum, thereafter.

With the aforesaid direction, the writ application stands disposed off.

(Dr. Anshuman, J.)

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