

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20001 of 2021

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Ashok Kumar Singh son of Chatra Narayan Singh, Resident of Mohalla-
Balkrishan Nagar Surkhikal, Tilkamanjhi, P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Water Resources, Government of Bihar, Patna.
2. The Chief Engineer, Flood Control and Water Discharge Department of Water Resources, Katihar Shivir, Purnea.
3. The Superintending Engineer, Flood Control Circle, Irrigation Colony, Jawaripur, District- Bhagalpur.
4. The Executive Engineer, Flood Control Division, Naugachhiya, District- Bhagalpur.
5. The Executive Engineer, Planning and Design, Department of Water Resources, District- Aurangabad.
6. The Executive Engineer, Investigation and Planning Division, Gandak Area Development Authority, Motihari.
7. The Treasury Officer, Sub- Treasury, Naugachhiya, District- Bhagalpur.
8. The Principal Accountant General (A & E), Bihar, Birchand Patel Path, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
For the Respondent/s	:	Ms. Nivedita Nirvikar, Sr. Advocate
		Mr. Vinay Kirti Singh (GA-2)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 06-01-2023 Heard learned counsel for the petitioner, learned
counsel for the State and counsel for the Accountant General
through virtual mode.

The present writ petition has been filed for the reliefs
to make the payments of all pensionary benefits such as current
monthly pension, Gratuity, General Provident Fund, unutilized
earned leave and the amount of insurance to the petitioner with

the interest @ 10% per annum since the petitioner has already been superannuated on 31.01.2019 from the post of Junior Engineer from the office of Respondent No.4 but till date not a single penny has been paid to the petitioner.

Counsel for the petitioner submits that vide order dated 20.10.2022 he was directed to appear before respondent no.2 to furnish all the requisite documents and also co-operate with the respondent authority in order to enable to process the case of the petitioner for grant of pensionary benefits. Counsel submits that it is true that he has received his service book and deposited his service book in the Motihari office but unfortunately he has not taken receiving, in result his service book become misplaced. It is admitted position that payment of the pensionary benefits of the petitioner shall be started only after construction of service book which is going on. Counsel for the petitioner himself submits that from four offices his service details has been received and from four other offices his service record are yet to be received.

Counsel for the respondents submits that needful co-operation from petitioner in preparation of his service book be required and it shall take time also.

In the counter affidavit counsel for the respondents

have taken stand that department shall make immediate payment upon recasting service book of the petitioner.

In the above mentioned facts and circumstances, let the petitioner be directed to present himself before the office of respondent no.2 twice in a month and respondent no.2 is directed to recast the service book of the petitioner within 6 months from today and thereafter assured the payment within 4 weeks thereafter.

In case the admitted retiral dues of the petitioner shall not be started within 10 months, 9% interest shall be charged upon the payable amount.

With this direction, writ petition is disposed off.

(Dr. Anshuman, J.)

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