

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16946 of 2022

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Siya Ram Singh, Son of Late Ram Bujhavan Singh, Resident of Village-
Rasalpur, P.S.- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration, Government of Bihar, Patna.
2. The Divisional Commissioner, Magadh Division, Gaya.
3. The District Collector Cum District Magistrate, Gaya.
4. The Block Development Officer, Amas Block, District- Gaya.
5. The Circle Officer, Manpur, District- Gaya.
6. The Treasury Officer, Gaya.
7. The Accountant General (A and E) Birchand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Virendra Prasad, Advocate
For the Respondent/s	:	Mr. Dr. Mukeshwar Tiwari, AC to AAG-3
For the A.G.	:	Mr. Arun Kumar Arun, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 04-12-2023

Heard Mr. Virendra Prasad, learned counsel appearing on behalf of the petitioner and Dr. Mukeshwar Tiwari, learned counsel for the State. The Accountant General, Bihar is represented by Mr. Arun Kumar Arun, learned counsel.

2. The petitioner, who superannuated on 30.04.2021 from the post of Assistant, Amas Block, Gaya, filed the present writ petition seeking a direction upon the respondents to ensure payment of the family pension, including gratuity, commutation of pension, leave encashment and up-to-date salary.



3. It is submitted across the Board that during the pendency of the writ petition, the petitioner has already been accorded all the admissible retiral/other benefits, however, the same has been done belatedly after a delay of 18 months. He thus submits that the petitioner should be allowed the interest over the delayed payment in the light of the Government letter/notification as contained in Memo No. PC-2-1-46/79/3155 dated 07.11.1981, which provides payment of interest on delayed payment of all kinds of pension. He next submits that there are catena of judgments of this Court wherein adequate interest has been imposed over the delayed payment.

4. At this stage, learned counsel for the State submits that all the retiral/other dues of the petitioner have been accorded to him in accordance with law and there is no delay in making payment of any of the retiral/other dues.

5. Considering the submissions made on behalf of the parties, the present writ petition stands disposed of with a liberty to the petitioner to file representation before the respondent no.3, the District Collector-cum-District Magistrate, Gaya, preferably within a period of four weeks' from today along with the relevant letter/order/documents in support of his claim for interest over the delayed payment.



6. If such representation is filed by the petitioner within the stipulated period noted hereinabove, the concerned respondent authority shall pass a reasoned and speaking order in the light of the Government Circulars/Letters preferably within a period of six weeks thereafter.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.12.2023
Transmission Date	NA

