

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18290 of 2022

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Ramesh Kumar, S/o Late Mahesh Ram, Resident of House No. E 32, Vijay Nagar, Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
3. The Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
4. The Additional Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
5. The State Drug Controller-cum-Drawing and Disbursing Officer, Department of Health and Family Welfare, Government of Bihar, Patna.
6. The Director, Provident Fund Directorate, Department of Finance, Pant Bhawan, Patna.
7. The Accountant General (A and E), Bihar Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Avinash Kumar, Advocate
For the Respondent/s	:	Mr. Nagendra Pd. Yadav, SC-23
For the Accountant General:	:	Mr. Raj Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 05-12-2023

Heard Mr. Avinash Kumar, learned counsel for the petitioner and Mr. Nagendra Prasad Yadav, learned counsel for the State. Mr. Raj Nandan Prasad, learned counsel is representing the Accountant General, Bihar, Patna.

2. At the outset, Mr. Kumar fairly submits across the Board that during the pendency of the present writ petition all the admissible retiral/other dues of the petitioner have been accorded to him, except the amount of incentive, which is



equivalent to one month salary of the petitioner, as has been introduced on account of Covid-19 Pandemic. He further submits that irrespective of the fact that petitioner superannuated way back on 28.02.2022, the interest over the delayed payment has not been accorded, thus, in any view of the matter, the same is also required to be paid to the petitioner.

3. Considering the submissions and averments made in the counter affidavit filed on behalf of respondent no.6, the present writ petition stands disposed of with a liberty to the petitioner to file a proper representation before the respondent no.2 preferably within a period of four weeks from today.

4. Needless to observe that in case such representation is filed, the respondent authority shall consider the claim of the petitioner and pass a reasoned and speaking order and in case any amount is found payable, the same shall also be paid to the petitioner within six weeks thereafter.

(Harish Kumar, J)

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

