

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18404 of 2022

Chnchun Kumar Son of Late Kapildeo Paswan, Resident of Mohalla- Vikas
Nagar, Ward No.-8, Barh, P.O. and P.S.- Barh, District- Patna- 803213

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Building Construction Department, Bihar, Patna.
3. The Chief Engineer, Building Construction Department, Bihar, Patna.
4. The Electrical Superintending Engineer, Building Construction Department, Electrical Works Circle, South Bihar, Patna.
5. The Electrical Exective Engineer, Building Construction Department, Electrical Works Division No. 1, Patna City, Gulzarbagh, Patna.
6. The Accountant General, Branch-8, Pension, Bihar, Patna.
7. The Director, G.P.F., Pant BHawan, Bailey Road, Patna-1.
8. The Accountant Officer, D.M. Office, Patna.
9. The Treasury Officer, Vishveshwariya Bhawan, Nirman Bhawan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Dr. Kislay, Advocate Mr. Amit Ranjan, Advocate
For the State	:	Mr. Rajeev Shekhar, AC to GA-13
For the A.G.	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-04-2023 Heard Dr. Kislay, learned counsel appearing on behalf
of the petitioner, Mr. Rajeev Shekhar, learned counsel appearing
on behalf of the State and Mr. Bindhyachal Rai, learned counsel
appearing on behalf of the Accountant General, Bihar.

2. Learned counsel appearing on behalf of the
petitioner seeks to withdraw the present writ petition with a
liberty to file detailed representation before the concerned
authority in light of Full Bench decision of this Court in case of



Amrika Devi and Ors v. State of Bihar and Ors passed in
CWJC No. 10063 of 2012.

3. Learned counsel appearing on behalf of the respondent has given information that the State Government has developed a software namely, HRMS and the same has not been activated in case of the petitioner.

4. Considering the aforesaid fact, the competent authority is directed to disburse all the admissible retiral dues payable to the deceased employee, who is the father of the petitioner within a period of three weeks from the date of activation of the software.

5. The Additional Chief Secretary, Building Construction Department must ensure that no further delay in activation of the software is caused at the hand of the technical staffs or the agency to whom such responsibility has been outsourced.

6. Considering the specific prayer of the petitioner as well as statement of learned counsel appearing on behalf of the State that as soon as the software is activated, all the retiral dues payable of the father of the petitioner (deceased employee) will be paid within a period of three weeks from the date of activation.



7. At this stage, learned counsel for the State informs that Nodal Officer is responsible for activation of the HRMS software.

8. The Additional Chief Secretary must be personally responsible to show that Nodal Officer forthwith activate the software.

9. It goes without saying that on account of retiral dues, which has not been paid to the petitioner, the petitioner is entitled for interest on account of delay in payment at the rate of 12.5 percent per annum in light of direction of the Apex Court.

10. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

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