

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15191 of 2018

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Madan Singh @ Madan Prasad Singh, Son of late Shri Ramjee Singh,
Resident of Village and Post- Bishnupura, Police Station- Bihta, District-
Patna. Petitioner

Versus

1. The Chief Controller of Accounts, Home Ministry of Home Affairs,
Government of India, North Block, New Delhi.
2. Deputy Inspector General of Police, Rapid Action Force, Central Office,
CBD, Belapur, Navi Mumbai.
3. Director, (Accounts) Pay and Accounts Office, CRPF, Tilak Nagar, New
Delhi.
4. The Commissioner 102, BN RAF/CRPF TALOJA, Navi Mumbai.
5. Senior Accounts Officer, Legal Cell, CPAD, Finance Department,
Department of Expenditure, New Delhi
6. The Pay and Accounts Officer, Central Pension Accounting Office, Ministry of
Finance, Department of Expenditure, New Delhi.
7. Assistant Accounts Officer, Central Pension Accounting Office, Ministry of
Finance, Department of Expenditure, Government of India, New Delhi.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Vivek Kumar Singh, Advocate
For the UOI : Mr. Rakesh Kumar Sinha, CGC

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-04-2023 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The petitioners in the present case is seeking the
following reliefs:-

“(i) To issue an appropriate writ preferably in the
nature of mandamus commanding upon the
Respondent Authorities to fix the basic pay of the
petitioner on the date of his retirement i.e. on
31.07.1997 as Rs.1480/- instead of Rs.1390/-.

(ii) To issue an appropriate writ preferably, in the
nature of Mandamus commanding upon the
Respondent authorities to revise the pension and
other emoluments of the petitioner on the basis of
basic pay of Rs.1480/- with effect from 31.07.1997.



(iii) To issue an appropriate writ preferably in nature of Mandamus commanding upon the Respondent authorities to pay to the petitioner the arrears of pension, gratuity, leave encashment etc. after fixation of basic pay as Rs.1480/- with effect from 31.07.1997.

(iv) To grant any other relief(s) for which the petitioner may be found entitled to in the facts and circumstances of the case.”

It is the specific case of the petitioner that the respondent authorities had earlier granted pay band of Rs.5200-20200/-, grade pay Rs.2000/- to the petitioner at par with one Ram Bir Singh but thereafter the revised basic pension of the petitioner has been reduced to Rs.4510/- whereas revised basic pension of Ram Bir Singh was fixed at Rs.4761/-.

Learned counsel for the petitioner submits that this itself has adversely affected the petitioner in his revised commuted pension and revised reduced pension payable to the petitioner w.e.f. 01.01.2006.

In response to the case of the petitioner, a counter affidavit has been filed. It is stated therein that the pay of the petitioner in the range of HC/GD was fixed at Rs.278/- per month w.e.f. 13.05.1984 correctly by GC MKG vide their office order dated 26.07.1984 and his pay was further revised and fixed from time to time upon implementation of Central Pay Commission. It is stated that the audit has taken place at every stage and payment has been found to be in order. At the time of



his retirement, he was drawing pay of Rs.1390/- per month. As regards the case of Ram Bir Singh and the difference in the fixation of pension of the petitioner and said Ram Bir Singh is concerned, the respondents have stated that the petitioner did not provide any detail of said Ram Bir Singh, like his Force No., Rank and place of his last posting etc. on account of which the authorities were not able to trace any detail of said Ram Bir Singh.

Learned counsel for the respondents submits that if the details are made available, the case of the petitioner may be considered in the light of his submissions with respect to the payments being made to said Ram Bir Singh.

Learned counsel for the petitioner has, at this stage, pointed out from Annexure '6' to the writ application that the respondents are well aware of the PPO number of said Ram Bir Singh, therefore, it cannot lie in their mouth in absence of details of said Ram Bir Singh, they could not take a view on that.

Having heard learned counsel for the petitioner and the respondents and the kind of stand taken on behalf of the respondents, this Court grants liberty to the petitioner to file a detail representation giving information as far as possible with



respect to said Ram Bir Singh to the concerned respondent within a period of six weeks from today. This will not absolve the respondents from finding out from their own records the details of the said Ram Bir Singh particularly when the PPO number of Ram Bir Singh is very much available on the record of the respondents. The respondents shall consider the detail representation of the petitioner within a period of eight weeks from the date of submission of the same and pass a reasoned order thereon within the said period.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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