

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1356 of 2022

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Rameshwar Singh son of Suraj Singh, Resident of Maurya Bhawan (Near Prakash Petrol Pump), Gandhi Nagar, P.S.-Sasaram, District-Sasaram, Rohtas (Bihar) 821115.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director (Administration)-cum-Addl. Secretary, Education Department, Govt. of Bihar, Patna.
3. The District Programme Officer, Establishment, Buxar.
4. The Sr. Treasury Officer, Buxar.
5. The Accountant General, Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rakesh Prabhat with Mr. Kumar Samarjeet Singh, Advocates
For the Respondent/s	:	Mr.Madhaw Pd. Yadaw, GP-23 with Ms. Meera Singh, AC to GP 23

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-07-2024

Heard Mr. Rakesh Prabhat, learned Advocate for the petitioner and Mr. Madhaw Prasad Yadaw, learned Government Advocate for the State.

2. At the outset, learned counsel for the petitioner seeks permission to make the Accountant General, Bihar as party respondent.

3. Permission is accorded.

4. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the respondents to ensure



payment of all the retiral benefits along with statutory interest. The petitioner also prayed for arrears of salary/pension on account of revision of pay and other admissible amount.

5. A counter affidavit has been filed on behalf of respondent no. 2. It is categorically averred that on account of pendency of departmental proceeding necessary sanction order of 90% provisional pension had been earlier issued to the petitioner. The aforesaid departmental proceeding has been culminated into punishment of deduction of 5% of pension vide departmental letter No. i/100876 dated 02.01.2024. In view of the aforesaid facts, the Department vide Memo no. 665 dated 18.06.2024 issued order in favour of the petitioner sanctioning full pension with effect from 30.06.2020 to 01.01.2024 and thereafter 95% pension has been sanctioned in favour of the petitioner with effect from 01.01.2004. It is also averred that full gratuity amount has also been sanctioned in favour of the petitioner.

6. Learned Advocate for the State also contended that the petitioner has been paid unutilized earned leave amount equivalent to 300 days.

7. At this stage, learned Advocate for the petitioner contended that though the averment has been made in the



counter affidavit that the amount of gratuity as well as arrears of pension has been sanctioned but till date it has not been credited in the account of the petitioner.

8. Considering the submission of the learned Advocate for the respective parties and the averments made in the counter affidavit, the present writ petition stands disposed of with a direction to the respondent no. 2 as well as the newly added respondent no. 5 to ensure the actual payment, preferably within a period of four weeks from today, if not paid to the petitioner.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	23.07.2024
Transmission Date	

