

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1469 of 2022**

=====

Shambhu Prasad Singh, S/o Late Ramashish Singh, R/o Village-Bhagwanpur  
Bhalahaiya, P.S.-Shikarganj, District-East Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran (Motihari).
4. The District Panchayati Raj Officer, East Champaran (Motihari).
5. The Addition Collector, East Champaran (Motihari).
6. The Deputy Development Commissioner, East Champaran (Motihari).
7. The Block Development Officer, (Ghorasahan), District-East Champaran (Motihari).

... .. Respondents

=====

**Appearance :**

|                     |   |                              |
|---------------------|---|------------------------------|
| For the Petitioner  | : | None                         |
| For the Respondents | : | Mr. Harish Singh, AC to GP-6 |

=====

**CORAM: HONOURABLE MR. JUSTICE NANI TAGIA**  
**ORAL JUDGMENT**

**Date : 25-04-2024**

None appears for the petitioner.

2. Heard Mr. Harish Singh, learned counsel for the Respondents.

3. This writ petition has been filed by the petitioner seeking a direction to the respondent authorities to pay the entire amount of retirement benefit, such as, gratuity, earned leave, group insurance and part amount of provident fund. The petitioner also prayed for a direction to the respondent authorities to pay arrears of salary from June, 2018 to July, 2020, which could not be paid



due to non-delivery of pay slip by the then Block Development Officer, Ghorasahan, District East Champaran.

4. As per the pleadings in the writ petition, it appears that the petitioner was working as Panchayat Sevak (department and place not described) and retired from the service on attaining the age of superannuation on 31.07.2020. It also appears from the pleadings made in the writ petition that a departmental proceeding was initiated against the petitioner on 30.07.2019 and the same is stated to be still pending.

5. Respondent Nos.1 and 3 to 7 have filed their counter affidavits.

6. Mr. Harish Singh, learned counsel representing the respondents, by referring to paragraph 7 of the counter affidavit filed by the Respondent Nos.3 to 7, has submitted that the entire dues of the petitioner have been paid. Paragraph 7 of the counter affidavit filed by the Respondent Nos.3 to 7 reads as under :

“7) That the dues of the petitioner is calculated and approved by the BDO, Ghorasahan and office order for approval of dues and for deposition into the account of petitioner is also issued and payment of pending twenty six month salary is credited into account of petitioner and letter is written to Accountant General (AG), Bihar vide letter no.252



dated 04.05.2023 of BDO, Ghorasahan for determination and approval of pension of petitioner.”

7. From reading of averments made in paragraph 7 of the counter affidavit of the respondent Nos.3 to 7, as pointed out by the learned counsel for the respondents, it appears that the dues of the petitioner have been calculated and approved by the Block Development Officer, Ghorasahan and office order for approval of dues and for depositing it into the account of the petitioner has been issued. Payment of pending 26 months salary is also stated to have been credited into the account of the petitioner. It also indicates that the letter has been written to the Accountant General, Bihar vide letter No.252 dated 04.05.2023 of the Block Development Officer, Ghorasahan for determination and approval of pension of the petitioner.

8. On perusal of averments made in paragraph 7 of the counter affidavit filed by the Respondent Nos.3 to 7 and also in view of the submission made by the learned counsel for the respondents, it thus appears that the respondent authorities have not denied entitlement of the petitioner to receive the retirement benefit, such as, gratuity, earned leave, group insurance and part amount of provident fund as well as arrears of salary from June,



2018 to July, 2020, for the services he has rendered as Panchayat Sevak.

9. In the circumstances aforesaid, this writ petition is hereby disposed of with a direction to the respondent authorities to pay the petitioner his retirement benefit for the services rendered by him as Panchayat Sevak, such as, gratuity, earned leave, group insurance and part amount of provident fund as well as arrears of salary from June, 2018 to July, 2020 along with admissible statutory interest within a period of one month from today, if not already paid.

10. The writ petition is disposed of with the above direction.

**(Nani Tagia, J)**

Narendra/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | N.A.       |
| Uploading Date    | 25.04.2024 |
| Transmission Date | N.A.       |

