

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1509 of 2022

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Mahendra Ram, S/o Late Kedar Ram, Resident of Ward No.13, Shahid
Chauk, Jaynagar, P.O. and P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Urban Development and Housing Department, Government of Bihar.
2. The Jaynagar Panchayat, Jaynagar through its Executive Officer, Jaynagar Panchayat, Jaynagar, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashutosh Kumar Jha, Adv.
For the Respondent/s	:	Mr. Kinkar Kumar, SC-9
For the N.P. J.	:	Mr. Ashok Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 06-08-2024

Heard the parties.

2. The petitioner superannuated on 30.10.2012 from the post of Sweeper, Jaynagar Panchayat. Despite his superannuation way back in the year 2012, when the petitioner has not been accorded his admissible retiral benefits, he finally moved before this Court by filing the present writ petition.

3. Learned Advocate appearing for the Jaynagar Panchayat, submitted that so far the other admissible dues, except arrears on account of 5th and 6th pay revision are concerned, the same has already been paid to the petitioner. It is further contended that so far the 5th and 6th pay revision is concerned, the respondent State Authorities has issued a letter



vide Memo No. 3933 dated 25.07.2018, allowing the benefits of 5th and 6th pay revision to the employees of local bodies. The post of Sweeper and other identical post have been included and a direction has been given to pay the arrears on account of 4th, 5th and 6th pay revisions from its effective dates.

4. A counter affidavit has been filed on behalf of respondent no.2, wherein it is categorically averred that the difference of arrears of payment on account of 5th pay revision amounting to Rs. 1,57,345/- and difference of arrears of pay on account of 6th pay revision amounting to Rs. 2,66,953/- have been paid to the petitioner. It is next contended that the amount of arrears of pension on account of 6th pay revision and arrears of unutilized leave and gratuity on the basis of 6th pay revision, have not been paid to the petitioner due to financial crunch of Nagar Panchayat, Jaynagar. It is fairly contended that the amount of arrears of pension on account of 6th pay revision and arrears of unutilized leave and gratuity on the basis of 6th pay revision shall be paid to the petitioner after availability of the fund.

5. Considering the grievance of the petitioner and the response made on behalf of respondent no.2, Nagar Panchayat, Jaynagar, the writ petition stands disposed of with a direction to



respondent no.2 to ensure payment of admitted admissible amount to the petitioner, preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.

6. Suffice it to say that the petitioner superannuated way back in the year 2012, respondent no. 2 shall adhere to the period prescribed hereinabove.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07-08-2024
Transmission Date	

