

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1763 of 2022

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Dharm Nath Pandey, S/o Late Chandradeo Pandey, Resident of Village - Ramashandh, P.S.- Sandesh, District - Bhojpur at present retired 4th grade Government Servant from the Office of the Executive Engineer, Planning and Monitoring Division, Bhagalpur, Department of Water Resources, Bhagalpur (Respondent No. -7).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Water Resources, Sinchai Bhawan, Old Secretariat Compound, Bihar, Patna.
2. The Chairman, Departmental Grievance Redressal Committee, Department of Water Resources, Sinchai Bhawan, Bihar, Patna.
3. The Under Secretary, Departmental Grievance Redressal Cell, Department of Water Resources, Sinchai Bhawan, Bihar, Patna.
4. The Chief Engineer, Irrigation Creation, Department of Water Resources, Bhagalpur.
5. The Superintending Engineer, Design, Planning and Monitoring Circle, Department of Water Resources, Bhagalpur.
6. The District Magistrate, Bhagalpur, Collectorate Compound, Bhagalpur.
7. The Executive Engineer, Planning and Monitoring Division, Department of Water Resources, Bhagalpur.
8. The District General Provident Officer, Bhagalpur.
9. The Treasury Officer, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kalika Nand Jha, Adv.
For the Respondent/s : Mr. Venkatesh Kirti, JC to GA-2

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 06-08-2024

Heard the parties.

2. The petitioner being aggrieved by the delayed payment of his retiral dues has filed the present writ petition seeking a direction upon the respondents to ensure payment of compound interest @ 18% over the delayed payment of retiral benefits/other dues under the different heads.



3. Learned Advocate for the petitioner contended that the petitioner superannuated on 28.02.2021 from the post of Office Attendant (4th Grade) under the Office of Executive Engineer, Planning & Monitoring Division, Department of Water Resources, Bhagalpur. Much before superannuation, the petitioner requested to his office concerned to start process for payment of his retiral benefits but it did not take proper action in the matter causing delay in payment of his retiral dues. It is further contented that the Principal A.G., Bihar, Patna issued Pension Payment Order dated 15.02.2021 in favour of the petitioner but the said P.P.O. authority letter dated 15.02.2020 was sent to the Treasury Officer, Bhagalpur along with no dues certificate after two months vide Memo No. 109 dated 04.05.2021. Similarly, with respect to G.P.F., the same has been paid after delay of four months twenty four days.

4. Counter affidavit has been filed on behalf of respondents no. 1 to 5 and 7 as well as respondent no. 8.

5. Learned Advocate for the State fairly contended that the petitioner has been paid all his retiral benefits. So far the payment of Group Insurance is concerned, there is a delay of two months nine days. Similarly, in the payment of earned leave, the delay is four months twenty four days. The afore-



noted delay was caused on account of nationwide COVID-19 Pandemic, when the offices under the State Government were running on its half strength; some delay has caused in obtaining NOC and in some of the occasion, the bills of the petitioner were returned with objection by the Treasury Officer and the same was verified and accorded thereafter fresh bill was submitted. Little delay in payment of retiral benefits of the petitioner was neither intentional nor deliberate. It is only a procedural delay. It is also contended that the amount of G.P.F. also contains up-to-date statutory interest.

6. In view of the submissions advanced on behalf of the respective parties, this Court does not find any merit in the writ petition. Accordingly, it is dismissed.

(Harish Kumar, J)

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