

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2578 of 2022

Govind Kumar Padmakar Son of Late Rajdev Kunwar, Resident of Village -
Hussepur, P.S. - Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar, Through the Director General of Police, Bihar, Patna.
2. The Inspector General (I.G), Tirhut Range, Muzaffarpur.
3. The Senior Superintendent of Police, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Respondent/s : Mr. Anil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 13-08-2024

Heard Mr. Nachiketa Jha, learned Advocate for the
petitioner and Mr. Anil Kumar, learned Advocate for the State.

2. The petitioner superannuated on 30.09.2018 from
the post of Sub Inspector of Police has invoked the jurisdiction
of this Court seeking a direction upon the respondents to ensure
payment of his pension in accordance with 7th Pay Revision. The
petitioner also sought for a direction to ensure payment of other
dues as well as salary for the month of September, 2018.

3. A counter affidavit has been filed on behalf of



respondent no. 3. A categorical averment has been made that all the admissible retiral and other dues of the petitioner have been paid to the petitioner, particulars of which are duly mentioned in paragraph no. 5 thereof. However, it is specifically averred that the petitioner did not hand over the charge of certain cases and thus “No Objection Certificate” could not be issued. On account of the aforesaid fact that “No Objection Certificate” from the concerned Section has not been issued, resultantly, the Last Pay Certificate could not be issued due to which the pension of the petitioner as well as gratuity has been fixed as per the basic salary of the petitioner. It is made clear that rest of the amount shall be paid when the respondent authorities shall receive the Last Pay Certificate of the petitioner from the concerned section.

4. At this juncture, learned Advocate for the petitioner submits that he has been informed that the petitioner is ready to hand over all the charges, if the same has not been done till date.

5. Considering the limited grievance of the petitioner, the writ petition stands disposed of with a direction to the petitioner to ensure handing over the charge of remaining cases, preferably within a period of eight weeks. In case the remaining charge pending with the petitioner is handed over to the



concerned respondents, they shall forthwith issue the Last Pay Certificate and ensure payment of all the remaining admissible pension/gratuity as well as other dues on the basis of Last Pay Certificate, preferably within a period of eight weeks thereafter.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	14.08.2024
Transmission Date	

