

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3374 of 2022

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Satto Raut S/o Late Gore Lal Raut, R/o Between Bazar, Argara Road, P.S.-
Kotwali, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
2. The District Magistrate, Munger.
3. The Chairman, Munger Municipal Corporation, Munger.
4. The Municipal Commissioner, Munger Municipal Corporate, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Rashmi Sandhwal, Adv.
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG-7
For the MCM	:	Ms. Meeta Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 30-07-2024

Heard the parties.

2. The petitioner superannuated on 30.06.2016 from the post of Jamadar in Municipal Corporation, Munger. Despite superannuation way back in the year 2016, when the petitioner has not been allowed his post retiral benefits, he approached before this Court by filing the present writ petition, seeking a direction upon the respondent-Municipal Corporation to ensure payment of all his post retiral benefits and other admissible dues, as has been mentioned in paragraph-1 of the writ petition.



3. During the pendency of the writ petition, the petitioner has been accorded all his post retiral benefits and other dues, except the provident fund amount as well as differential amount of 5th and 6th Pay Revision.

4. A counter affidavit has been filed on behalf of respondents no. 3 and 4.

5. It is categorically averred that the petitioner has already been paid his admissible gratuity, leave encashment and other dues. So far the provident fund amount is concerned, the petitioner is not in receipt of any instruction. It is further contended that so far the payment of difference of amount on account of 5th and 6th pay revision is concerned, the same is running due, out of which, one year arrears of 6th Pay Revision has already been paid to the petitioner and the other similarly situated employee. The bill for another year is prepared for payment which shall be accorded to the petitioner in a short span of time.

6. At this juncture, learned Advocate for the petitioner contended that after the superannuation of the petitioner, he has also been accorded monthly pension for a month or two, but the same has also been stopped.



7. Considering the submission of the learned counsel for the respective parties, this Court deems it proper to dispose of the writ petition with a direction to the respondent nos. 3 and 4 to ensure payment of differential amount of 5th/6th Pay Revision as well as provident fund, if not paid, preferably within a period of 12 weeks from the date of receipt/production of a copy of this order.

8. This Court also expects that respondent no. 3 shall pass a reasoned and speaking order within the period stipulated with regard to the admissibility of pension of the petitioner.

9. The writ petition stands disposed of.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31-07-2024
Transmission Date	

