

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3647 of 2022

Somnath Bhagat, son of Shivdayal Bhagat, resident of Village-Puggu Dhawtha Toli, P.O. Armai, P.S. Gumla, District-Gumla (Jharkhand), the retired Assistant Engineer, Building Construction Department, Building Circle, Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
3. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Building Construction Department, Government of Bihar, Patna.
4. The Chief Engineer, North, Building Construction Department, Government of Bihar, Patna.
5. The Superintending Engineer, Building Construction Department, Building Circle, Darbhanga.
6. The Accountant General, Bihar, Patna.

.. ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K Mangalam, Mr. Awnish Kumar, Advocates
For the Respondent/s	:	Mr. K.K. Singh, AC to GP-22

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

4 17-02-2024 Heard Mr. S.B.K. Mangalam, learned counsel for the petitioner and Mr. K.K. Singh, learned AC to GP-22 representing Respondents No. 1 to 5. No one appears on behalf of Respondent No. 6, The Accountant General, Bihar, Patna.

2. The petitioner, who had retired on 31.01.2016 from the post of Assistant Engineer, Building Circle, Darbhanga on attaining the age of superannuation, has preferred this writ petition for a direction to the Respondent-authorities for payment of gratuity amount with interest.



3. Respondent Nos. 1 to 4 and Respondent No. 5 have filed their counter affidavits. In the counter affidavit filed by Respondent No.5, though the delay in payment of the gratuity to the petitioner has been attributed to the non submission of no dues certificate by the petitioner but it has been stated in paragraph-6 thereof, that the office of Respondent No. 5 is now in receipt of Letter No. S.S.A no-PEN-20/PEN 070922202072/ 201755011062P1 22.09.2022 from the Accountant General and therefore, the process for payment of gratuity amount of Rs. 9,95,000/- to the petitioner shall be made.

4. In view of the averments made in paragraph-6 of the counter affidavit filed by the Respondent No.5, learned counsel representing Respondents No. 1 to 5 submits that the gratuity amount indicated hereinabove shall be paid to the petitioner at the earliest.

5. In view of the above submissions made by the learned counsel for the Respondents No. 1 to 5 as well as having taken note of the averments made by Respondent No.5 in para-6 of the counter affidavit as noted here-in-above, the writ petition is, hereby, disposed of with a direction to pay to the petitioner the aforementioned gratuity amount as expeditiously as possible and



in any case not later than four weeks from the date of receipt of certified copy of this order.

6. The writ petition stands disposed of with the above direction.

(Nani Tagia, J)

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