

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3811 of 2022

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Siyaram Singh, Son of Late Ramashish Singh, Resident of Village- Jaitia,
P.S.- Cherki, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Department, Govt. of Bihar, Patna.
2. The Gaya Municipal Corporation, Gaya through its City Commissioner, Gaya.
3. The City Commissioner, Gaya Municipal Corporation, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Abbas Haider SC-6
		Mr. Wasi Mohammad, AC to SC-6
For Gaya Municipal Corp.	:	Mr. Rabindra Kumar Priyadarshi, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 13-08-2024

Heard Mr. Sanjeev Kumar, learned Advocate for the petitioner and Mr. Rabindra Kumar Priyadarshi, learned Advocate representing the Gaya Municipal Corporation. Mr. Wasi Mohammad, lerned AC to SC-6 for the State is also present.

2. The petitioner superannuated on 30.11.2019 from the post of Chawkidar, Gaya Municipal Corporation. Despite his superannuation, when he has not been accorded with retiral benefits and others admissible dues, he filed the present writ petition seeking a direction upon the



respondents concerned to ensure all the admissible benefits/dues.

3. A counter affidavit as well as supplementary counter affidavit have been filed on behalf of respondent no. 2 and 3.

4. Mr. Priyadarshi, learned Advocate for the Gaya Municipal Corporation referring to the averments made therein categorically submitted that all the admissible dues, including the amount of gratuity to the tune of Rs. 4,91,235/-, amount of leave encashment of Rs. 3,27,825/- as well as the due pension amount to the tune of Rs. 2,00,628/- have been paid to the petitioner, the particulars of which have been duly mentioned in paragraph no. 6 of the supplementary counter affidavit.

5. Learned Advocate for the Municipal Corporation further contended that so far the Provident Fund amount is concerned, it has also been paid along with up to date interest to the tune of Rs. 1,34,965/- through Voucher No. 1563 dated 14.02.2023. So far the payment of pension is concerned, he is being paid on the basis of calculation as per the 6th pay revision and further pension or



arrears thereof likewise the other similarly situated retired employee shall be paid, as per availability of fund granted by the State Government.

6. At this juncture, learned Advocate for the petitioner submits that the aforesaid contention of the Municipal Corporation is required to be verified.

7. Considering the submissions advanced on behalf of learned Advocate for the respective parties and averments made in the counter affidavit/supplementary counter affidavit, the writ petition stands disposed of.

8. Suffice it to say that if the petitioner has still any grievance, he has a remedy to approach before the Executive Officer, Gaya Municipal Corporation, who shall consider the same, in accordance with law.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.08.2024
Transmission Date	NA

