

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5927 of 2022

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Harishankar Prasad Gupta, Son of Late Prithwichand Sah, Resident of
Village- Bhatauna, Marwan, P.S- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchayti Raj Department,
Vikash Bhawan, Bihar, Patna.
2. The Accountant General of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Block Development Officer, Minapur, Muzaffarpur.
5. The District Panchayat Officer, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Advocate Mr. Yugal Kishore, Advocate
For the Respondent/s	:	Mr. Harish Singh Goldie, AC to GP- 6
For the AG, Bihar	:	Mr. Ram Kinker Choubey, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 10-09-2024

Heard Mr. Jai Prakash Singh, learned Advocate for
the petitioner and Mr. Harish Singh Goldie, learned Advocate
for the State. Mr. Ram Kinker Choubey, learned Advocate for
the Accountant General, Bihar is also present.

2. The petitioner superannuated on 31.03.2021 from
the post of Panchayat Secretary, Mahubani village at Mushahari
Block, Muzaffarpur has preferred the present writ petition
seeking a direction upon the respondents to ensure fixation of
his pension as well as payment of Gratuity, GPF, Leave
Encashment and other admissible retirement benefit.



3. Learned Advocate for the petitioner fairly contended that during the pendency of the writ petition, the petitioner has been paid the amount under the head of Group Insurance, Leave Encashment and Gratuity, however, till date he has not been paid the other remaining retiral benefits.

4. A counter affidavit has been filed on behalf of respondent no.5. It is contended that the pension paper along with necessary details have not been submitted by the petitioner for sanction of pension. It is further contended that respondent no.5 sent a letter to the Block Development Officer, Mushari, Muzaffarpur vide letter no. 2049 dated 27.07.2024 for sending the details of last pay certificate of the petitioner within 24 hours so that retiral dues be sanctioned immediately. In response thereto the Block Development Officer, Mushari, Muzaffarpur informed the respondent no.5 that he has sent a detailed report and amount adjustable from the petitioner.

5. The counter affidavit also suggests that respondent no.5 has taken all possible steps for payment of remaining retiral dues and as soon as all the required documents and information are received, he shall take immediate steps for payment of admissible retiral dues to the petitioner.

6. Having heard the learned Advocate for the



respective parties and on perusal of the counter affidavit filed on behalf of respondent no.5, *prima facie*, it appears that the required pension paper has not not been submitted by the petitioner. If the same has not been done, the petitioner is directed to ensure submission of the pension paper. On submission of the necessary pension paper and required documents, the respondent no.5 is directed to ensure sanction of all the admissible remaining retiral dues to the petitioner preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

7. On issuance of the sanction order, the authority slip must be issued by the Accountant General, Bihar, Patna within a further period of four weeks.

8. The other remaining dues must be paid to the petitioner within the stipulated period, as mentioned hereinabove.

9. The writ petition stands disposed off.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.09.2024
Transmission Date	NA

