

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6767 of 2022**

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Ram Narayan Gupta Son of Late Mahadev Sah Resident of Opposite Milan (Neelam) Cinema Lakshminagar, Town and P.S.- Madhubani Town, Distt.- Madhubani (Bihar) PIN- 847211 Superannuated from the Post of Assistant Engineer, Water Resources Department, Govt. of Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Govt. of Bihar, New Secretariat, Patna- 15.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, New Secretariat, Patna- 15.
3. The Joint Secretary, Water Resources Department, Govt. of Bihar, New Secretariat, Patna- 15.
4. The Executive Engineer, Irrigation Division, Katihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Shashi Nath Jha, Adv.  
For the Respondent/s : Mr.Vikash Kumar (SC-11)

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      06-02-2024                      1. The present writ petition has been filed seeking the following relief(s):-

*“1. That in this writ application the petitioner prays for issuance of appropriate writ/order/direction in the nature of Mandamus against the respondents for:*

*(i)Directing the Respondent-authorities to pay the petitioner inter alia the following major amount belonging to the following different Heads for which the petitioner is fully entitled to with statutory/market interest.*

*(a) Transfer Travelling Allowances amounting to Rs. 20,000/-when the petitioner was transferred from Bihar to Jharkhand in*



*the year 2004 due to cadre division.*

*(b) Travelling Allowances amounting to Rs. 60,000/-when the petitioner was posted at Kaswa sub-division, Purnea and visited several places for approval of D.P.R.*

*(c) Travelling & Tour Allowances amounting to Rs. 60,000/-when the petitioner visited Delhi for approval of D.P.R. in the year 2009 in a team.*

*(d) Arrears of House Rent Allowances at the rate of 10% as per the 6th pay revision.*

*(e) Arrears of salary for the period from 01.01.2006 to 31.08.2006 arising out of 6th pay revision, effected by the Jharkhand Govt.*

*(f) Admitted Arrears of Rs.29,076/- towards House rent which has already been ordered for payment to the petitioner by the Executive Engineer, Irrigation Division, Katihar vide his letter dt.30.03.2012, but the same has not been paid till date.*

*(ii) Directing the respondents authorities to grant all other benefits dues/ arrears to the petitioner with penal interest for which he is fully entitled to.*

*(iii) Holding and declaring that the Respondent-authorities are bound to meet even the all irreparable losses/damages/ grievances which are being caused to the petitioner due to the delay in making payment of the aforesaid dues/arrears.”*



2. At the outset, the learned counsel for the respondents has referred to the counter affidavit and the supplementary counter affidavit filed in the present case to submit that all the outstanding dues required to be paid to the petitioner has stood paid except the amount of travelling allowance, which pertains to the period when the petitioner was posted in the State of Jharkhand as well as the monetary benefits emanating out of grant of the benefits of 6<sup>th</sup> Pay Revision, for the period from 01.04.2006 to 31.08.2006, during which period also the petitioner had rendered his services in the State of Jharkhand.

3. Having regard to the aforesaid stand taken by the respondents in the present writ petition and the State of Jharkhand being not a party in the present writ petition, I deem it fit and proper to direct the respondents to take a final decision with regard to payment of the aforesaid two amounts, by sorting out the matter with the State of Jharkhand, within a period of eight weeks from today.

4. Accordingly, the writ petition stands disposed off.

**(Mohit Kumar Shah, J)**

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