

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10807 of 2023

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Dinesh Chandra Sharma, Son of Late Narayan Sharma, Resident of Jarbahera,
Basudeopur, P.S. Kotwali, District- Munger.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anjan Singh, Adv.
For the Resp-State	:	Mr. S. D. Yadav, AAG-9
		Mr. Braj Bhushan Mishra, AC to AAG-9
For MMC	:	Ms. Meeta Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 11-01-2024 Heard Mr. Anjan Singh, learned counsel for the petitioner; Mr. Braj Bhushan Mishra, learned counsel for the State and Ms. Meeta Sinha, learned counsel for the Munger Municipal Corporation.

2. The petitioner, who superannuated on 31.12.2018 from the post of Tax Collector-cum-Superintendent of Kashturba Water Works, Munger, has filed the present writ petition for the following relief(s):-

“(i) Payment of family pension from the date of retirement.

(ii) Contributory amount deducted from payment of provident fund with interest.



- (iii) Difference of pay from 1990 to 1995 as per forth pay revision.
- (iv) Difference of pay from April 1997 to March 2007 as per fifth pay revision.
- (v) Difference of pay from January 2008 to March 2017 as per sixth pay revision.
- (vi) Difference of pay from April 2017 to till the date of retirement i.e. 31.12.2018 as per seventh pay revision.
- (vii) Any other admitted dues for which the petitioner is legally entitled.”

3. It is submitted on behalf of the petitioner that despite having been superannuated in the year 2018, the payment of only gratuity and unutilized earned leave have been made to him. However, till date the other admissible dues as prayed in para-1 of the writ petition has not been accorded, compelling the petitioner to approach before this Court.

4. A counter affidavit has been filed on behalf of the Munger Municipal Corporation, wherein the respondent after admitting certain dues amount, denied others.

5. Considering the averments made in the counter affidavit, this Court deems it appropriate to accord liberty to the petitioner to file an appropriate representation before the respondent no.4, the Municipal Commissioner, Munger Municipal Corporation, Munger, preferably within a period of



four weeks from today.

6. If such a representation is filed, the same shall be considered and disposed of by a reasoned and speaking order, preferably within a further period of eight weeks. Needless to observe any due amount found payable to the petitioner must also be paid to him, within the period stipulated.

7. Any defiance of the order of this Court shall be dealt with sternly.

(Harish Kumar, J)

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